Digitized by the Internet Archive
in 2010 with funding from
The Institute of Museum and Library Services through an Indiana State Library LSTA Grant

http://www.archive.org/details/miscellaneousdoc03unit

THE

MISCELLANEOUS DOCUMENTS

OF THE

HOUSE OF REPRESENTATIVES.

PRINTED DURING

THE FIRST SESSION OF THE THIRTY-NINTH CONGRESS,

1865-'66.

IN THREE VOLUMES.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1866.

INDEX

TO THE

MISCELLANEOUS DOCUMENTS

OF THE

HOUSE OF REPRESENTATIVES,

FOR

THE FIRST SESSION OF THE THIRTY-NINTH CONGRESS, 1865–'66.

Volume 1 ..... No. 1 to No. 7.
Volume 2 ..... No. 8 to No. 55.
Volume 3 ..... No. 56 to No. 130.

Subject.	Vol.	No.
A.		
Address of the Swiss committees of Geneva, Berne, Neufchatel, &c., to the President and Congress of the United States, letter from the auxiliary committee of the American association in Switzerland for the benefit of enfranchised slaves in America, transmitting the	3	112
Agricultural college lands, memorial from the trustees of the Indiana Agricultural College relative to the law in relation to	3	116
Alabama, letter from R. M. Patton relative to special land tax in	3	114
Alabama, memorial of loyal citizens of, on the subject of reconstruction	2	42
Allen, Charles, a British subject, claim of, for compensation for injuries done his property near Vicksburg, letter from the Secretary of State to the chairman of the Committee on Foreign Affairs, transmitting correspondence relative to	3	113
American Free Trade League, memorial of, relative to the reciprocity treaty	2	47
American Free Trade League, against protective duties by Congress, petition of	2	21
American vessels under foreign registers, resolution of Mr. Lynch relative to	2	28
Appropriations made during the first session of the thirty-ninth Congress, statement of the	3	130
Army post chaplains, resolution passed by the legislature of Pennsylvania instructing their representatives in Congress to vote for and use their influence to secure the passage of an act to increase the number of, sufficiently to meet the increased wants of the regular army of the United States	3	90
Arkansas, memorial of Wm. Byers, G. H. Kyle, and James M. Johnson, representatives from the State of, asking for seats within the hall of the House of Representatives	2	23
Arizona, petition of Charles D. Poston, asking to be admitted as a delegate from	2	26
Ashley, James M., relative to the emancipated slaves and freedmen	2	50

Subject.	Vol.	No.
B.		
Baldwin, Aug. C., contesting the seat of Rowland E. Trowbridge, a representative from the sixth congressional district of Michigan, papers in the case of	2	10
Bancroft, George, letter from, to Hon. E. B. Washburne, transmitting correspondence with Earl Russell relative to a portion of the memorial address on Abraham Lincoln, delivered before both houses of Congress	3	110
Bidwell, Mr., report from, transmitting papers relative to cure of rinderpest in cattle	3	128
"Bill granting lands to West Virginia," resolutions of the legislature of West Virginia asking for the passage of	2	36
Bounties of all soldiers who served during the war, letter from the Secretary of War relative to	2	22
Bounties to early volunteers, resolutions of the legislature of Iowa relative to	2	32
Bounties to the thirty-seventh regiment Iowa volunteers, resolutions of the legislature of Iowa relative to	2	31
Bounties, resolutions of the legislature of Pennsylvania instructing the senators and representatives in Congress from Pennsylvania to advocate and vote for a measure that will equalize	3	89
Bounties to soldiers, memorial of the legislature of Wisconsin for an equalization of	3	95
Bounties, resolutions of the legislature of Pennsylvania relative to an equalization of	3	107
Boutwell, Mr., resolution proposing an amendment to the Constitution of the United States	1	4
Boyd, S. H., contesting the seat of John R. Kelso, a representative from the fourth congressional district of Missouri, evidence in the case of	3	92
Bridges destroyed in West Virginia, resolution of the legislature asking aid from Congress to repair	2	34
Brooks, James, a representative from the State of New York, papers in the case of Wm. E. Dodge, contesting the seat of	1	7
Buckingham, Governor, of Connecticut, letter from, transmitting resolutions from that State on the present condition of public affairs	2	24
Byers, William, G. H. Kyle, and James M. Johnson, representatives from the State of Arkansas, asking for seats within the hall of the House of Representatives	2	23
C.		
California, relative to the votes by the delegation of that State on the veto of the Freedmen's Bureau bill, resolution of the legislature of	3	108
Capitol building in Dakota, memorial of the legislative assembly praying for an appropriation to erect a	2	15
Capitol building for New Mexico, memorial of the legislature relative to	3	58
Cattle plague, letter from the Secretary of State to the chairman of the Committee of Agriculture transmitting correspondence upon the subject of	3	68
Chicago, address of the colored citizens of, to the Congress of the United States	3	109
Civil rights, address of the colored citizens of Chicago to the Congress of the United States relative to	3	109
Civil rights bill, resolution of the legislature of New York relative to the veto of the	3	84
Civil rights bill before Congress, resolution of the legislature of New York relative to the	3	83
Civil rights bill, communication from the New York East Annual Conference of the Methodist Episcopal Church expressive of thanks for the passage of the	3	93
Claim of the State of Missouri for reimbursement for expenses incurred in the support of her militia during the war, statement in reference to	3	63
Clerk of the House of Representatives, letter from, communicating his annual report of the contingent expenses of the House of Representatives	2	20
Clerk of the House of Representatives, letter from, transmitting list of clerks and other persons employed in his department for the year 1865	2	19

Subject.	Vol.	No.
Clerks of the House of Representatives, table of rates of pay to, with the proposed increase	3	126
Coffroth, Alexander H., a representative from the State of Pennsylvania, papers in the case of William H. Koontz, contesting the seat of	3	117
Committees of the House of Representatives during the first session of the thirty-ninth Congress, list of	1	3
Conkling, Mr., resolution of, offering an amendment to the Constitution	2	25
Connecticut, letter from Governor Buckingham transmitting resolutions of that State on the present condition of public affairs	2	24
Connecticut, relative to a navy yard and naval depot at New London, Connecticut, resolution of the legislature of	3	129
Constitution of the United States, resolution of Mr. Boutwell proposing an amendment to the	1	4
Constitution, resolution of Mr. Conkling offering an amendment of	2	25
Constitutional amendment, letter from the Clerk of the House of Representatives informing the House that he had presented to the President of the United States a certified copy of the concurrent resolution adopted June 18, 1866	3	122
Contested election of Wm. E. Dodge *vs.* James Brooks, from the eighth congressional district of New York, papers in the	1	7
Contested election of Chas. Follett *vs.* Columbus Delano, from the thirteenth congressional district of Ohio, papers in the	2	8
Contested election of S. H. Boyd *vs.* John R. Kelso, from the fourth congressional district of Missouri, evidence in the	3	93
Contested election of Aug. C. Baldwin *vs.* Rowland E. Trowbridge, from the fifth congressional district of Michigan, papers in the	2	10
Contested election of Wm. H. Koontz *vs.* Alexander H. Coffroth, from the sixteenth congressional district of Pennsylvania, papers in the	3	117
Contested election of Smith Fuller *vs.* John L. Dawson, from the twenty-first congressional district of Pennsylvania, papers in the	2	9
Contested election of Henry D. Washburn *vs.* Daniel W. Voorhees, from the seventh congressional district of Indiana, papers in the	2	11
Correspondence between the State Department and the British legation relative to the claim of the widow of the late Andrew Cunningham, a British subject, improperly enlisted in the military service of the United States	3	56
Counties of Berkeley and Jefferson, resolutions of the legislature of West Virginia relative to the transfer of	2	35
Country reclaimed from the late rebellion, district of, resolutions defining the position of the inhabitants of	2	18
Court, United States district, in Louisiana, memorial of Miles Taylor, Christian Roselius, and thirty-four members of the New Orleans bar, asking the repeal of an act to better the organization of	2	44
Cunningham, Andrew, late a British subject, correspondence between the State Department and the British legation relative to claim of widow of	3	56
D.		
Dakota, in relation to the location of the north branch of the Pacific railroad, memorial of the legislative assembly of	2	14
Dakota, for an appropriation to erect a Capitol building in that Territory, memorial of the legislative assembly of	2	15
Dakota, for a geological survey of the Black Hill country and Bad Lands in that Territory, memorial of the legislative assembly of	2	16
Dakota, relative to the establishment of a mail route from Sioux Falls, Dakota Territory, to Ponca, Nebraska Territory, memorial of the legislative assembly of	2	17
Dakota, relative to the establishment of a mail route from Fort Randall, Dakota Territory, to Fort Sully, in the same Territory, memorial of the legislative assembly of	1	13
Davis, Jefferson, resolution of the legislature of Nevada relative to	3	104
Dawson, John L., a representative from the State of Pennsylvania, papers in the case of Smith Fuller contesting the seat of	2	9
Delano, Columbus, a representative from the State of Ohio, papers in the case of Charles Follett contesting the seat of	2	8

Subject.	Vol.	No.
Dodge, Wm. E., contesting the seat of James Brooks, a representative from the eighth congressional district of New York, papers in the case of	1	7
Doorkeeper of the House of Representatives, letter from, transmitting an inventory of the furniture under his charge	2	29
Duty on wool, resolutions of the legislature of Ohio asking additional	3	85
E.		
Earl Russell relative to a portion of the memorial address on Abraham Lincoln delivered before both houses of Congress, letter from George Bancroft to Hon. E. B. Washburne transmitting correspondence with	3	110
Education, memorial of the National Association of State and City School Superintendents asking for the establishment of a national bureau of	2	41
Education, petition of the town of Medford, Massachusetts, for governmental aid in securing free education to all the children in the United States	1	5
Education, national bureau of, resolution of the legislature of Iowa, relative to the establishment of	3	71
Election of members from Mississippi to the thirty-ninth Congress, certificate of	3	118
Emancipated slaves and freedmen, resolution of Mr. J. M. Ashley relative to the protection of	2	50
England, reciprocity with, resolution of the State of West Virginia relative to	2	46
Escutcheons of the States of West Virginia and Nevada, letter from the Commissioner of Public Buildings reporting compliance with the resolution of the House of the thirteenth of February last ordering coats-of-arms to be placed in the ceiling of the House of Representatives	3	94
Explosion at the Washington arsenal, letter from Major Benton, commandant, transmitting a statement of the distribution of money to the sufferers by the	3	115
Explosion at the arsenal, letter from the commandant of the Washington arsenal transmitting, in lieu of a report heretofore made, a detailed report of the distribution of the money to the sufferers by the late explosion in said arsenal, with the vouchers therefor	3	119
F.		
Fisher, William, and Thomas Miller, British subjects, alleging illegal arrest, correspondence of the Secretary of State with the British minister upon the subject of the claims of	3	111
Flag of the United States received from the working people of the city of Lyons, France, letter from the Secretary of State relative to the	3	73
Florida relative to the payment of direct tax, memorial of the legislature of	3	120
Follett, Charles, contesting the seat of Columbus Delano, a representative from the thirteenth congressional district of Ohio, papers in the case of	2	8
Freedmen's Bureau bill, resolutions of the legislature of Wisconsin expressing approbation of Congress in passing the	3	64
Freedmen's Bureau bill, resolutions of the legislature of California relative to the votes by the delegation of that State on the veto of the	3	108
Fuller, Smith, contesting the seat of John L. Dawson, a representative from the twenty-first congressional district of Pennsylvania, papers in the case of	2	9
G.		
Geological survey of Black Hill country and Bad Lands in the Territory of Dakota, memorial of the legislative assembly of Dakota in relation to	2	16
Gideon, George S., president of the Washington and Georgetown Railroad Company, letter from, transmitting report of the board of directors for the year 1865	3	69
Governor of New Mexico, memorial of the legislature of that Territory relative to the veto power of	3	59
H.		
Harbor at Superior, memorial of the legislature of Wisconsin for the improvement of	3	97

Subject.	Vol.	No.
House of Representatives, letter from the Doorkeeper of, transmitting an inventory of the furniture under his charge	2	29
House of Representatives during the first session of the thirty-ninth Congress, list of the committees of	1	2
House of Representatives during the first session of the thirty-ninth Congress, list of members of the	1	2
I.		
Indiana, papers in the contested election case from the seventh congressional district of the State of	2	11
Indiana Agricultural College, relative to the law in relation to the lands for the benefit of said college, memorial from the trustees of the	3	116
Inventory of the furniture under the charge of the Doorkeeper of the House of Representatives	2	29
Iowa, relative to the establishment of a mail route, resolution of the legislature of	2	30
Iowa, asking that the thirty-seventh regiment of Iowa volunteers be paid bounties equal to other soldiers, resolutions of the legislature of	2	31
Iowa, relative to bounties to early volunteers, resolution of the legislature of	2	32
Iowa, relative to grant of lands to aid in the construction of the Iowa and Missouri State Line railroad, memorial and resolution of the legislature of	2	48
Iowa, relative to lands granted to the State of Iowa for railroad purposes, resolutions of the legislature of	3	65
Iowa, relative to the establishment of a national bureau of education, resolution of the legislature of	3	71
Iowa, for governmental aid to the extension in Iowa of the Iowa branch of the Union Pacific railroad, memorial of the legislature of	3	74
Iowa, asking a grant of lands to aid in the construction of the Iowa Central road, resolution of the legislature of	3	76
J.		
Johnson, James M., William Byers, and G. H. Kyle, representatives from the State of Arkansas, asking for seats within the hall of the House of Representatives	2	23
Judicial districts in Wisconsin, memorial of the legislature of that State in relation to	2	12
Jurisdiction of the probate judge in New Mexico, memorial of the legislature of New Mexico relative to	3	60
K.		
Kelso, Hon. John R., a representative from the fourth congressional district of Missouri, evidence in the case of S. H. Boyd contesting the seat of	3	92
Kentucky, remonstrating against the proposed tax on leaf tobacco, resolutions of the legislature of	3	62
Koontz, Wm. H., contesting the seat of Alexander H. Coffroth, a representative from the sixteenth congressional district of Pennsylvania, papers in the case of	3	117
Kyle, G. H., William Byers, and James M. Johnson, representatives from the State of Arkansas, asking for seats within the hall of the House of Representatives	2	23
L.		
Lands granted to the State of Iowa for railroad purposes, resolution of the legislature of Iowa relative to	3	65
Land tax and other imposts and taxes levied by Congress, letter from the governor of Virginia transmitting joint resolutions of the State of Virginia relative to	2	49
Lawrence, Mr. W., resolutions of, in relation to the treason of Jefferson Davis and others	1	6
Legal restrictions upon the commerce in money, memorial of the Philadelphia Board of Trade to Congress, praying for the abolition of	3	124

Subject.	Vol.	No.
Letter from the Clerk of the House of Representatives transmitting list of clerks and other employés in his department for the year 1865	2	19
Letter from the Clerk of the House of Representatives communicating his annual report of the contingent expenses of the House of Representatives	2	20
Letter from the Secretary of War relative to the equalization of bounties of all soldiers who served during the war	2	22
Letter from Governor Buckingham, of Connecticut, transmitting resolutions of that State on the present condition of public affairs	2	24
Letter from the Doorkeeper of the House of Representatives transmitting an inventory of the furniture under his charge	2	29
Letter from the Secretary of the Treasury, addressed to the Hon. E. B. Washburne, relative to the port of entry at St. Louis	2	33
Letter from the Secretary of State to Hon. N. P. Banks, submitting a despatch from our minister at Brussels relative to the Paris Universal Exhibition	2	45
Letter from the governor of Virginia transmitting joint resolutions of the State of Virginia relative to land tax and other imposts and taxes levied by Congress	2	49
Letter from the Secretary of State to the chairman of the Committee of Agriculture transmitting correspondence upon the subject of the cattle plague	3	68
Letter from George S. Gideon, president of the Washington and Georgetown Railroad Company, transmitting report of the board of directors for the year 1865	3	69
Letter from the Secretary of State to Hon. N. P. Banks transmitting correspondence relative to the claim of James Stott for illegal arrest by the authority of the United States	3	70
Letter from R. M. Patton, of Alabama, relative to special land tax	3	114
Letter from Major Benton, commandant of the Washington arsenal, transmitting a statement of the distribution of money to the sufferers by the late explosion in said arsenal	3	115
Letter from the commandant of the Washington arsenal transmitting, in lieu of a report heretofore made, a detailed report of the distribution of money to the sufferers by the late explosion, with the vouchers therefor	3	119
Letter from the secretary of the soldiers' convention in Pennsylvania transmitting the proceedings of that convention	3	121
Letter from the Clerk of the House of Representatives informing the House that he had presented to the President a certified copy of the concurrent resolution adopted on the 18th of June, 1866	3	122
Letter from the Secretary of the Treasury, in answer to Hon. E. B. Washburne, relative to the exportation of cattle bones from ports in Asia to the United States, affected with rinderpest	3	123
Letter from the Secretary of War, transmitting correspondence relative to national cemeteries in Tennessee	3	127
Letter from the Secretary of State in relation to a decoration proposed to be conferred by the King of Italy on Commodore Radford, United States navy	3	72
Letter from the Secretary of State, in relation to a flag of the United States received from the working people of the city of Lyons, France	3	73
Letter from the Secretary of War to Hon. Mr. Schenck relative to the state of the volunteer military force up to the 28th of March	3	80
Letter from the Commissioner of Public Buildings reporting compliance with the resolution of the House of the 13th of February last, ordering coats-of-arms to be placed in the ceiling of the House of Representatives	3	94
Letter from George Bancroft, esq., to Hon. E. B. Washburne transmitting correspondence with Earl Russell relative to a portion of the memorial address on Abraham Lincoln delivered before both houses of Congress	3	110
Letter from the auxiliary committee of the American Association in Switzerland for the benefit of enfranchised slaves in America, transmitting the address of the Swiss committees of Geneva, Berne, Neufchatel, &c., to the President and Congress of the United States	3	112
Letter from the Secretary of State to the chairman of the Committee on Foreign Affairs transmitting correspondence relating to the claim of Charles Allen, a British subject, for compensation for injuries done his property near Vicksburg	3	113
Library, memorial of the legislature of Montana asking for an appropriation for a	3	99

Subject.	Vol.	No.
List of the members of the House of Representatives during the first session of the thirty-ninth Congress	1	2
List of the committees of the House of Representatives during the first session of the thirty-ninth Congress	1	3
List of reports to be made to Congress during the first session of the thirty-ninth Congress	1	1
Louisiana, United States district court, memorial of Miles Taylor, Christian Roselius, and thirty-four other members of the New Orleans bar, for the repeal of an act to better the organization of the, in the State of	2	44
Lynch, Mr., relative to American vessels under foreign registers, resolution of.	2	28
M.		
Mail route, memorial of the legislative assembly of Dakota, in relation to the establishment of	2	17
Mail route from Fort Randall, Dakota, to Fort Sully, in same Territory, memorial of the legislative assembly of Dakota Territory relative to the establishment of	1	13
Mail route, resolution of the legislature of Iowa, relative to the establishment of	2	30
Mail route from Trempealeau to Sumner, memorial of the legislature of Wisconsin for a	3	96
Mail route, resolution of the legislature of Nevada, relative to a	3	101
Mail route from Wellington to Austin, resolution of the legislature of Nevada relative to	3	103
Mail route, Crystal Springs, resolution of the legislature of Nevada relative to	3	105
Manufactures of Pittsburg, communication of the Board of Trade relative to.	2	39
Medford, Massachusetts, town of, petition for governmental aid in securing free education to all the children in the United States	1	5
Members of the House of Representatives during the first session of the thirty-ninth Congress, list of	1	2
Members from Mississippi to the thirty-ninth Congress, certificate of election of	3	118
Methodist Episcopal Church, expressive of thanks for the passage of the civil rights bill, communication from the New York East Annual Conference of the	3	93
Michigan, relative to the unsafe condition of Waugooshance light-house, in the straits of Michilimackinac, resolutions of the legislature of	2	40
Michigan, papers in the contested election case from the fifth congressional district of the State of	2	10
Miller, Thomas, and William Fisher, British subjects, alleging illegal arrest, correspondence of the Secretary of State with the British minister upon the subject of the claims of	3	111
Mining titles, resolution of the legislature of Nevada relative to the security of	3	106
Mining claims, memorial of the legislature of Oregon against taxing	3	79
Mint, United States branch, resolutions of the legislature of Nevada relative to	3	102
Missouri, evidence in the contested election case from the fourth congressional district of the State of	3	92
Missouri, for reimbursement for expenses incurred in the support of her militia during the war, statement in reference to the claims of the State of	3	63
Mississippi, certificate of election of members from	3	118
Montana, asking for an appropriation for a territorial library and other purposes, memorial of the legislature of	3	99
Montana, protesting against a joint resolution now pending, asking for the annexation of a certain portion of said Territory to the Territory of Idaho, memorial of the legislature of	3	100
N.		
National currency, resolution of the legislature of Ohio relative to permission to tax	3	87
National cemeteries in Tennessee, letter from the Secretary of War transmitting correspondence relative to	3	127

Subject.	Vol.	No.
Navy, resolutions of the legislature of New Jersey asking for increase of pay to officers of	3	86
Navy, resolutions of the legislature of New York as to increased pay to officers of	3	77
Navy yard and naval depot at New London, Connecticut, resolutions of the legislature of Connecticut relative to	3	129
New Jersey, relative to the Veteran Reserve Corps, resolution of the State of	2	51
New Jersey, asking for increase of pay to officers of the navy, resolutions of the legislature of	3	86
New Mexico, in regard to a State government for that Territory, memorial of the assembly of	3	57
New Mexico, in regard to a capitol building for that Territory, memorial of the legislature of	3	58
New Mexico, relative to the veto power of the governor of that Territory, memorial of the legislature of	3	59
New Mexico, relative to the jurisdiction of probate judge in that Territory, memorial of the legislature of	3	60
New Mexico, relative to a penitentiary in that Territory, memorial of the legislature of	3	61
Nevada, relative to United States branch mint, resolutions of the legislature of	3	102
Nevada, relative to mail route from Wellington to Austin, resolution of the legislature of	3	103
Nevada, relative to a mail route in said State, resolution of the legislature of	3	100
Nevada, relative to Jefferson Davis, resolution of the legislature of	3	104
Nevada, relative to the Crystal Springs mail route, resolutions of the legislature of	3	105
Nevada, against the sale of mines, resolution of the legislature of	3	106
New York, papers in the contested election case from the eighth congressional district of the State of	1	7
New York, Chamber of Commerce of the State of, relative to the Universal Exposition at Paris	2	27
New York, relative to buildings for temporary quarantine purposes, resolutions of the legislature of	2	38
New York and Wisconsin, in favor of the extension of time for completing the Portage Lake canal in the State of Michigan, and for an additional appropriation of land therefor, resolutions of the legislatures of	2	52
New York, as to increased pay of naval officers, resolutions of the legislature of	3	77
New York, relative to the terms upon which the States in rebellion should be admitted to representation in Congress and national unity and peace	3	81
New York, relative to the civil rights bill before Congress, resolutions of the legislature of	3	83
New York, relative to the veto of the civil rights bill, resolution of the legislature of	3	84
New York, remonstrance of the Chamber of Commerce of the State of, on the subject of the present tariff bill	3	125
O.		
Officers, naval, resolutions of the legislature of New York relative to increased pay to	3	77
Officers of the navy, resolutions of the legislature of New Jersey asking increase of pay to	3	86
Ohio, relative to the assumption by the general government of the war debt by the several States, resolution of the legislature of	2	43
Ohio, papers in the contested election case from the thirteenth congressional district of the State of	2	8
Ohio, relative to the increase of the regular army, and recommending the appointment of competent volunteer officers to fill positions therein, resolutions of the State of	2	53
Ohio, asking an additional duty on wool, resolutions of the legislature of	3	85
Ohio, relative to permission to tax national currency, resolutions of the legislature of	3	87

Subject.	Vol.	No.
Oregon, against taxing mining claims, memorial of the legislature of	3	79
Oregon, in relation to the provisional government debt, resolution of the State of.	3	66
P.		
Pacific railroad, memorial of the legislative assembly of Dakota relative to the location of the north branch of	2	14
Paris Universal Exhibition, letter from the Secretary of State to Hon. N. P. Banks, submitting a despatch from our minister at Brussels relative to	2	45
Patton, R. M., of Alabama, letter from, relative to special land tax	3	114
Penitentiary in New Mexico, memorial of the legislature of New Mexico relative to	3	61
Pennsylvania, papers in the contested election case from the twenty-first congressional district of the State of	2	9
Pennsylvania, communication from the Board of Trade of Pittsburg relative to the manufactures of that city	2	39
Pennsylvania, instructing their senators and requesting their representatives to procure a repeal of the tax upon crude oil or petroleum, resolutions of the legislature of	3	75
Pennsylvania, instructing their senators and representatives in Congress to advocate and vote for a measure that will equalize bounties, resolutions of the legislature of	3	89
Pennsylvania, instructing their representatives in Congress to vote for and use their influence to secure the passage of an act to increase the number of army post chaplains sufficiently to meet the increased wants of the regular army of the United States, resolutions of the legislature of	3	90
Pennsylvania, for an equalization of bounties, resolution of the legislature of.	3	107
Pennsylvania, papers in the contested election case from the sixteenth congressional district of the State of	3	117
Petition of the town of Medford, Middlesex county, Massachusetts, for governmental aid in securing free education to all the children in the United States	1	5
Petition of the American Free Trade League against protective duties by Congress	2	21
Petition of Charles D. Poston asking to be admitted as a delegate from Arizona	2	26
Petroleum, crude, resolutions of the legislature of Pennsylvania instructing their senators and requesting their representatives to procure a repeal of the tax upon	3	75
Philadelphia Board of Trade, praying for the abolition of legal restrictions upon the commerce in money, with the report of a special committee of their executive council upon the usury laws, May 21, 1866, memorial of the.	3	124
Pittsburg, communication from the Board of Trade relative to the manufactures of	2	39
Port of entry at St. Louis, letter from the Secretary of the Treasury to Hon. E. B. Washburne relative to	2	33
Portage Lake canal, in the State of Michigan, resolutions of the legislatures of New York and Wisconsin in favor of the extension of time for completing, and for additional appropriation of land therefor	2	52
Portage Lake and Lake Superior ship canal, resolutions of the legislature of Wisconsin relative to grant of land to aid in construction of	2	54
Poston, Charles D., asking to be admitted as a delegate from Arizona, petition of	2	26
Protection of emancipated slaves and freedmen, resolutions of Mr. J. M. Ashley relative to	2	50
Provisional government debt of Oregon, resolution of the State of Oregon in relation to	3	66
Public affairs, letter from Governor Buckingham, of Connecticut, transmitting resolutions of that State on the present condition of	2	
Q.		
Quarantine, temporary, resolutions of the legislature of New York asking Congress to provide buildings for	2	37
Quarantine in the port of New York, resolutions of the legislature of New York relative to	2	38

Subject.	Vol.	No.
R.		
Radford, Commodore William, letter from the Secretary of State in relation to a decoration to be conferred on	3	72
Railroad, Iowa branch of the Union Pacific, memorial of the legislature of Iowa for governmental aid to the extension, in Iowa, of the	3	74
Railroad, Iowa Central, resolution of the legislature of Iowa asking a grant of land to aid in the construction of	3	76
Railroad, Iowa and Missouri State line, memorial of the legislature of Iowa, relative to grant of lands to aid in the construction of	2	48
Railroad, Pacific, resolutions of the convention of Texas in favor of southern branch of	3	88
Railroad, Winnebago and Superior, from Doty's island to Stevens's Point, memorial of the legislature of Wisconsin asking for grant of land to aid in the construction of	3	91
Rates of pay to clerks of the House of Representatives, proposed increase of.	3	126
Raymond, Mr., relative to transportation between the western States and the Atlantic seaboard, resolution of	3	88
Reciprocity with England, resolutions of the State of West Virginia relative to	2	46
Reciprocity treaty, memorial of the American Free Trade League relative to	2	47
Reconstruction, memorial of the loyal citizens of Alabama on the subject of	2	42
Regular army, resolutions of the legislature of Ohio relative to the increase of the	2	53
Remonstrance of the Chamber of Commerce of the State of New York on the subject of the present tariff bill	3	125
Report of the board of directors of the Washington and Georgetown Railroad Company, letter from George S. Gideon, president of the company, transmitting the	3	69
Report from Mr. Bidwell transmitting papers relative to the cure of rinderpest in cattle	3	128
Rinderpest in cattle, report from Mr. Bidwell transmitting papers relative to the cure of	3	128
Reports to be made to Congress during the first session of the thirty-ninth Congress, list of	1	1
S.		
Safety of passengers by steam vessels	3	82
Secretary of War, letter from, relative to equalizing the bounties of all soldiers who served during the war	2	22
Secretary of the Treasury, letter from, relative to port of entry at St. Louis	2	23
Secretary of State, letter from, to Hon. N. P. Banks, submitting a despatch from our minister at Brussels relative to Paris Universal Exhibition	2	45
Secretary of State, correspondence of, with the British minister at Washington upon the subject of the claims of Thomas Miller and William Fisher, British subjects, on account of alleged illegal arrest	3	111
Secretary of State transmitting correspondence relative to the claim of Charles Allen, a British subject, for compensation for injuries done his property near Vicksburg, letter from the	3	113
Secretary of War transmitting correspondence relative to national cemeteries in Tennessee, letter from the	3	127
Ship canal connecting the Mississippi river with the waters of Lake Michigan, memorial of the legislature of Wisconsin relative to	3	98
Soldiers' convention in Pennsylvania, letter from the Secretary of, transmitting proceedings of	3	121
State government for the Territory of New Mexico, memorial of the assembly of, relative to	2	57
States in rebellion, terms and conditions upon which they should be admitted to representation in Congress, and national unity and peace, resolutions of the legislature of New York relative to the	3	81
Stott, James, claim of, for illegal arrest by the authorities of the United States, letter from the Secretary of State to Hon. N. P. Banks transmitting correspondence relative to	3	70
Steam vessels, safety of passengers by	3	82

Subject.	Vol.	No.
T.		
Tariff bill, remonstrance of the Chamber of Commerce of the State of New York on the subject of the present	3	125
Tax, the direct, memorial of the legislature of Florida relative to the payment of	3	120
Tax, special land, in Alabama, letter from R. M. Patton relative to	3	114
Taxing national currency, resolutions of the legislature of Ohio relative to permission to	3	87
Taxing mining claims, memorial of the legislature of Oregon against	3	79
Tax upon crude oil or petroleum, resolutions of the legislature of Pennsylvania instructing their senators and requesting their representatives to procure a repeal of the	3	75
Tax upon cigars, resolution of the legislature of Wisconsin recommending a modification of the excise	3	67
Tax on leaf tobacco, resolution of the legislature of Kentucky remonstrating against the proposed	3	62
Taylor, Miles, Christian Roselius, and thirty-four other members of the New Orleans bar, memorial of, asking for the repeal of an act for the better organization of the United States district court in Louisiana	2	44
Tennessee, letter from the Secretary or War transmitting correspondence relative to national cemeteries in the State of	3	127
Tennessee, memorial of the citizens of, praying that the present State organization of Tennessee may be recognized and its perpetuity guarantied	2	55
Texas, in favor of a southern branch of the Pacific railroad, resolution of the convention of	3	88
Transportation between the western States and Atlantic seaboard, resolution of Mr. Raymond relative to	3	78
Treason of Jefferson Davis and others, resolutions of Mr. W. Lawrence relative to	1	6
Trowbridge, Rowland E., a representative from the State of Michigan, papers in the case of Aug. C. Baldwin contesting the seat of	2	10
U.		
Universal Exposition at Paris, resolutions of the Chamber of Commerce of the State of New York relative to	2	27
V.		
Veteran Reserve Corps, resolution of the legislature of New Jersey relative to the	2	51
Veto power of the governor of New Mexico, memorial of the legislature of New Mexico relative to the	3	59
Virginia, relative to land tax and other imposts and taxes levied by Congress, letter from the governor of Virginia transmitting joint resolutions of the State of	2	49
Volunteer military force, state of, up to the 28th of March, letter from the Secretary of War to the Hon. Mr. Schenck relative to	3	80
Voorhees, Daniel W., a representative from the State of Indiana, papers in the case of Henry D. Washburn, contesting the seat of	2	11
W.		
Washburn, Henry D., contesting the seat of Daniel W. Voorhees, a representative from the seventh congressional district of Indiana, papers in the case of	2	11
War debt of the several States, resolution of the legislature of Ohio relative to the assumption by the general government of the	2	43
Washington and Georgetown railroad, letter from George S. Gideon, president of the company, transmitting report of the board of directors for the year 1865	3	69
Waugooshance light-house, in the straits of Michilimackinac, resolution of the legislature of Michigan relative to the unsafe condition of	2	40

Subject.	Vol.	No.
West Virginia, asking aid from Congress to repair bridges destroyed by the Union army as a means of safety during the rebellion, resolution of the legislature of	2	34
West Virginia, asking speedy action, by Congress, giving consent to the transfer of Berkeley and Jefferson counties from Virginia to West Virginia, resolutions of the legislature of	2	35
West Virginia asking the passage of the bill entitled "A bill granting lands to the State of West Virginia to aid in the construction of certain railroads," resolutions of the legislature of	2	36
West Virginia relative to the reciprocity with England and the duty on coal, resolutions of the State of	2	46
Wisconsin for the improvement of the harbor at Superior in that State, memorial of the legislature of	3	97
Wisconsin for a mail route from Trempealeau to Sumner, memorial of the legislature of	3	96
Wisconsin in relation to judicial districts in that State, memorial of the legislature of the State of	2	12
Wisconsin and New York, in favor of the extension of time for the completion of the Portage Lake canal in the State of Michigan, and for an additional appropriation of land therefor, resolutions of the legislatures of	2	52
Wisconsin for grant of land to aid in the construction of the Portage Lake and Lake Superior ship canal, resolutions of the legislature of	2	54
Wisconsin expressing approbation of Congress in passing the Freedmen's Bureau bill, and excluding representation from the rebellious districts, resolutions of the legislature of	3	64
Wisconsin recommending a modification of the excise tax on cigars, resolutions of the legislature of	3	67
Wisconsin asking for a grant of land to aid in the construction of so much of the Winnebago and Superior railroad as extends from Doty's island to Stevens's point, resolutions of the legislature of	3	91
Wisconsin for an equalization of soldiers' bounties, memorial of the legislature of	3	95
Wisconsin in relation to a ship canal through the State, connecting the Mississippi river with the waters of Lake Michigan, memorial of the legislature of	3	98

WIDOW OF ANDREW CUNNINGHAM, LATE A BRITISH SUBJECT.

CORRESPONDENCE

BETWEEN

THE STATE DEPARTMENT

AND

The British legation, relative to the claim of the widow of the late Andrew Cunningham, a British subject, improperly enlisted into the military service of the United States.

MARCH 5, 1866.—Referred to the Committee on Foreign Affairs and ordered to be printed.

DEPARTMENT OF STATE,
Washington, February 13, 1866.

SIR: I have the honor to submit to your consideration, and that of the committee over which you preside, a correspondence between this department and the British legation, in relation to the claim of the widow of the late Andrew Cunningham, a British subject, who was improperly enlisted into the military service of the United States, and who lost his life in that service before his discharge, which had been ordered, could be carried into effect.

I commend the case to the attention of your committee as one of peculiar hardship, deserving of prompt and liberal indemnification.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

HON. N. P. BANKS,
Chairman Committee on Foreign Affairs.

[Memorandum.]

British Legation to Department of State.

BRITISH LEGATION,
Washington, February 11, 1864.

Andrew Cunningham, a private in company G, 37th or 39th regiment New York volunteers, states that he is a British subject; that he came from Montreal to New York, and had only been four days there, when he was invited by a gang of men called runners to a bar-room to have a drink; that he became stupefied and of what followed until next morning, when he found himself in a room guarded by soldiers, and on inquiring the reason was informed that he was a soldier in the United States service.

He declares that he has not taken the oath of allegiance to the United States to his knowledge, and that he has received no bounty except seventy-five dollars, on Recker's island, from United States officrs; that he did not want to take their money, but that they insisted.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, February 23, 1864.

MY LORD: I have the honor to acknowledge the receipt of your memorandum of the 11th instant relative to Andrew Cunningham, a private in company G, 37th or 39th regiment of New York State volunteers, and to siate that the attention of the Secretary of War has been directed to it.

I have the honor to be your lordship's obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. Seward to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, February 23, 1864.

SIR: I have the honor to invite your attention to the enclosed copy of a memorandum of the 11th instant from Lord Lyons, relative to Andrew Cunningham, a private of company G, 37th or 39th regiment New York volunteers.

I have the honor to be, your obedient servant,

WILLIAM H. SEWARD.

Hon. EDWIN M. STANTON,
Secretary of War.

British Legation to Department of State.

MEMORANDUM.—Andrew Cunningham.

Memorandum sent to Mr. Seward on the 11th February.
Note from Mr. Seward to Lord Lyons, dated 23d of February.
No further communication has been made to the legation on the subject.

BRITISH LEGATION,
Washington, March 5, 1864.

Department of State to British Legation.

MEMORANDUM.—Memorandum from the British legation, 7th March, 1864, relative to the case of Andrew Cunningham.

The attention of the Secretary of War has been again invited to this case.

DEPARTMENT OF STATE,
Washington, March 18, 1864.

Mr. Seward to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, March 18, 1864.

SIR: Referring to my letter of the 23d ultimo, relative to the case of Andrew Cunningham, I have now the honor of enclosing to you a copy of a memorandum from Lord Lyons, of the 7th instant, in which a desire is expressed for an early report therein.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. E. M. STANTON,
Secretary of War.

British Legation to Department of State.

MEMORANDUM.—Andrew Cunningham, a private in company G, 39th regiment, New York volunteers.

Lord Lyons to Mr. Seward, February 11, 1864; March 5, 1864.
Mr. Seward to Lord Lyons, February 23, 1864.
The result of the investigation into this case has not been communicated to this legation.
The applicant presses for his discharge.

BRITISH LEGATION,
Washington, March 31, 1864.

Department of State to British Legation.

MEMORANDUM.—Case of Andrew Cunningham.

Memorandum from British legation received; subject recalled to the consideration of War Department.

DEPARTMENT OF STATE,
Washington, April 8, 1864.

Mr. Seward to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, April 8, 1864.

SIR: Referring to my communications of the 23d of February and the 18th ultimo, respecting the case of Andrew Cunningham, a private in company G, 37th or 39th New York volunteers, said to have been improperly taken into the military service of the United States, I have the honor to enclose a memorandum of the 31st ultimo, on the subject, from the British legation.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. E. M. STANTON,
Secretary of War.

P. S.—I will thank you for a copy of my communication of the 18th ultimo, above referred to, the original having been mislaid.

General Canby to Mr. Seward.

WAR DEPARTMENT,
Washington City, April 11, 1864.

SIR: The Secretary of War instructs me to acknowledge the receipt of your letter of the 8th instant, referring to your communications of the 23d February and 18th ultimo, respecting the case of Andrew Cunningham, alleged to have been improperly taken into the service of the United States, and to inform you that your letter of the 23d February last, with its accompaniment from Lord Lyons, was referred on the 24th, same month, to Major General Dix for investigation, and that no report has yet been received. Copies of your letter of the 18th ultimo, and its accompaniment, are herewith transmitted agreeably to your request.

I have the honor to be your obedient servant,

ED. R. S. CANBY,
Brigadier General, A. A. G.

The SECRETARY OF STATE, *Washington, D. C.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, April 15, 1864.

MY LORD: Referring to the case of Andrew Cunningham, which formed the subject of your memcrandum of the 31st ultimo, I have the honor to enclose a copy of a letter of the 11th instant, from the War Department, in which it is stated that this matter was referred, on the 24th February last, to Major General Dix, for investigation, the result of which has not yet been made known.

I have the honor to be, with high consideration, my lord, your obedient servant.

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Lord Lyons to Mr. Seward.

WASHINGTON, *April* 23, 1864.

SIR: I beg to recall to your attention the case of Andrew Cunningham, a British subject, who claims his discharge from the United States army on the ground of having been improperly enlisted, which formed the subject of my communications to you of February 11, March 5, and March 31, and of your notes to me of February 23, April 8, and April 15.

By the last-mentioned note you did me the honor to inform me that this case had been referred, on the 24th February, to Major General Dix for investigation. Two months have elapsed since that date, and no communication has yet been made to me as to the result of General Dix's investigation.

I have, therefore, to beg of you to inform me whether any report has yet been received on this case, and should the question be still pending, to press for a speedy decision from the proper authority.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, April 29, 1864.

SIR: I have the honor to enclose a copy of a note of the 23d instant from Lord Lyons, relative to the case of Andrew Cunningham, which in a letter of the 11th instant you informed me had been referred to General Dix for investigation. I would suggest that his attention be recalled to the matter with a view to the early disposition of it.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SECRETARY OF WAR.

Mr. Stanton to Mr. Seward.

WAR DEPARTMENT,
Washington City, May 30, 1864.

SIR: I have the honor to inform you that an order has been given for the discharge of Andrew Cunningham, who was the subject of your letter of the 23d February last, enclosing a memorandum of the 11th same month from Lord Lyons, representing that Cunningham had been improperly mustered into the military service of the United States; and, further, to advise you that Lieutenant Cole, the officer who mustered him into the service, has been dismissed by a general court-martial for similar acts.

I am, sir, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, June 7, 1864.

MY LORD: Recurring to your note of the 11th of February last, relative to the case of Andrew Cunningham, alleged to have been improperly mustered into the United States military service, I have the honor to inform you that a letter dated the 30th ultimo has been received from the War Department, from which it appears that an order has been given for the discharge of Cunningham, and that Lieutenant Cole, the officer who mustered him into service, has been dismissed by a general court-martial for similar acts.

I have the honor to be, with high consideration, my lord, your obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. Dana to Mr. Seward.

WAR DEPARTMENT,
Washington City, July 23, 1864.

SIR: In reply to your letter of the 29th April last, and previous communications, in the case of Andrew Cunningham, for whose discharge from military

service on the ground of alienage application had been made by Lord Lyons. (23d April,) the Secretary of War instructs me to inform you that in the report of the Adjutant General to this department of the 18th instant it is stated that "the discharge of Cunningham was directed by Special Order 195, par. 42., dated June 3, 1864. But from a report of Colonel Funk, 39th New York volunteers, dated 8th July, 1864, it appears that Private Cunningham was killed in battle at Po river, May 10, 1864. Lieutenant Cole, the officer who mustered the man in, has been dismissed the service."

The Secretary further instructs me to inform you that hereafter, upon application for discharge of alleged subjects of a foreign power, the man whose discharge is applied for will be ordered to be retained at the draft rendezvous, or if in the field, sent to said rendezvous or other convenient place until an investigation can be had in his case.

I have the honor to be, very respectfully, your obedient servant,

C. A. DANA,
Assistant Secretary of War.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, August 5, 1864.

MY LORD: Referring to your note of the 23d April last, recalling my attention to the case of Andrew Cunningham, who claimed his discharge from military service on the ground of alienage, I have the honor to enclose, for the information of your lordship, a copy of a letter of the 23d ultimo, from the Assistant Secretary of War, from which it appears that the discharge of Cunningham was dated June 3, 1864; that subsequently a report was received to the effect that he was killed in battle at Po river, on the 10th of the preceding month; and that the officer who mustered him in has been dismissed from the service.

It further appears that hereafter, when application shall be made for the discharge of an alleged subject of a foreign power, the man whose discharge is applied for, will be retained at the draft rendezvous, or if in active service, sent to said rendezvous until an investigation can be made in his case.

I have the honor to be, with high consideration, my lord, your obedient servant.

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Lord Lyons to Mr. Seward.

WASHINGTON, *August* 8, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 5th instant respecting the case of Andrew Cunningham.

This case was brought to your notice by me on the 11th February last. I recalled your attention to it on the 5th of March, on the 31st of March, and on the 23d of April. At length, on the 7th of June, you did me the honor to inform me that an order had been given for the discharge of Cunningham, and that the officer who improperly mustered him into the service had been dismissed by a general court-martial for similar acts. It now, however, appears that the dis-

charge came too late, and that on the 10th of May, three months after the case was brought before you this unfortunate man was killed in battle.

While deeply deploring the tardiness in this case, which led to so lamentable a result, I take note with satisfaction of the assurance given by you, sir, and by the Secretary of War, that, hereafter, when application shall be made for the discharge of an alleged subject of a foreign power, the man whose discharge is applied for will be retained at the draft rendezvous, or if in active service, sent to said rendezvous, until an investigation can be made in his case.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, August 19, 1864.

MY LORD: I have the honor to acknowledge the receipt of your note of the 8th instant, in relation to the case of Andrew Cunningham, referring to my note of the 5th instant, in which I informed your lordship that more than three weeks before his discharge from the army was granted he was killed in battle. This unfortunate event is the subject of profound regret to this government, which will cheerfully accord to the family of the deceased special reparation as, upon an examination of the facts of the case, the Congress of the United States may in its wisdom find to be justly due.

In the mean time it is presumed that there will be no difficulty in the recovery, by heirs of the deceased, of whatever may be due to them under existing provisions of law, in the form of bounty, arrears of pay, or pension.

I have the honor to be, with high consideration, my lord, your obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *September* 20, 1864.

SIR: With reference to your note of the 19th ultimo, in reply to Lord Lyons's note of the 8th ultimo, relative to the special reparation which you were good enough to observe the United States would cheerfully accord to the family of the deceased, Andrew Cunningham, killed in battle, I have the honor to state that his lordship addressed a despatch to Viscount Monck, requesting him to ascertain where the widow of Cunningham resided.

I have now the honor to forward to you a copy of Viscount Monck's reply, and of its enclosure, together with a copy of the legalized marriage certificate of Mrs. Cunningham, requesting you to return to me the latter document.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

[Enclosure No. 1.]

Viscount Monck to Mr. Burnley.

QUEBEC, *September* 15, 1864.

SIR: In a despatch bearing date the 22d August, Lord Lyons requested my assistance in procuring information respecting the family of Andrew Cunningham, a British subject, who had been illegally enlisted into the United States army, and was killed in action before his discharge could be obtained; the government of the United States having announced its desire to make to them a special reparation, in acknowledgment of its regret for the misfortune that had befallen them. I accordingly directed that inquiry should be made on the subject, and I have now the honor to transmit to you a report from the chief constable of police in Montreal, by which it appears that he has discovered Andrew Cunningham's widow, and that she is now residing at a place about two miles from that city. The chief constable sent in with his report an extract given to him by Mrs. Cunningham, from the parochial register of the parish of Notre Dame de Quebec, showing that she was married to the deceased in 1854. This extract I also enclose.

I have, &c., &c.,

MONCK.

J. H. BURNLEY, Esq., *&c., &c.*

[Enclosure No. 2.]

Mr. McLoughlin to Mr. Coursall.

GOVERNMENT POLICE STATION,
Montreal, September 13, 1864.

SIR: I beg to report that, in obedience to your order of the 1st September instant, directing me to make diligent search and endeavor to find the wife of one Andrew Cunningham, who was lately killed in the federal army, I beg to say that I made the necessary inquiry, and found that she resided in Prince street, in this city, for some time after her husband went to the United States. She afterwards removed to Petite Cote, about two miles from this city, where I found her. I asked her if she had a certificate of her marriage with the late Andrew Cunningham, and she said she had not, but that they were married in the city of Quebec ten years since, and that she could obtain a certificate to that effect. She subsequently wrote to Quebec and procured the enclosed certificate, which was handed to me to-day. Her maiden name was Anne Macken, and she states that she has two children, issue of her marriage with the deceased, Andrew Cunningham.

I am, &c.,

JOHN McLOUGHLIN,
Chief Constable, Government.

CHARLES J. COURSALL, Esq.,
Judge of Sessions of the Peace.

[Enclosure No. 3.—Translation.]

Extract from the register of baptisms, marriages, and interments of the parish of Notre Dame of Quebec, for the year 1854.

"On the twelfth of September, one thousand eight hundred and fifty-four, in consequence of the dispensation of two bans of marriage, and the publication of the third, made at the conclusion of the parochial mass of Quebec, between

Andrew Cunningham, the eldest son of William Cunningham and of Margaret Begley, deceased, of this parish, on the one part, and Ann Macken, widow of Arthur Conway, also of this parish, on the other part, we, the undersigned, priest vicar of Quebec, have received their mutual consent to marriage, and have given them the nuptial benediction in the presence of John McGauran, the friend of the husband, and of Mary Fitzsimmons, the friend of the wife, which witnesses have signed this, with the wife; the husband, alone, did declare that he did not know how to sign.

"G. F. L. DROLEST, *Priest.*

"ANN MACKEN.
'JOHN MCGAURAN.
"MARY FITZSIMMONS."

Which extract we, the curate priest of Quebec, undersigned, certify to be true, and to conform with the original register deposited in the archives of the parsonage of Quebec.

Issued at Quebec on the tenth day of the month of September, one thousand eight hundred and sixty-four.

J. AUCLAIR, *Priest and Curate.*

Mr. F. W. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, September 27, 1864.

SIR: I have the honor to acknowledge the receipt of your communication of the 20th instant, in regard to the special reparation proposed to be made to the family of Andrew Cunningham, and to inform you, in reply, that I have enclosed to the Secretary of War a copy of your note and of its accompaniments, with a request that every possible facility may be extended towards carrying out the purposes indicated in the note to Lord Lyons of the 19th ultimo, a copy of which was communicated to the Secretary of War on the 22d ultimo.

I have the honor to be, with high consideration, sir, your obedient servant,

F. W. SEWARD, *Acting Secretary.*

J. HUME BURNLEY, Esq., *&c., &c., &c.*

P. S.—The marriage certificate, the return of which was requested, is herewith enclosed.

Mr. F. W. Seward to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, September 27, 1864.

SIR: Referring to the communication of the 22d ultimo from this department, in regard to the case of Andrew Cunningham, killed while in the military service of the United States, I have the honor to invite your attention to the enclosed copy of a note of the 20th instant, and its accompaniment, from J. Hume Burnley, esq. In view of the peculiar circumstances of the case, I have the honor to recommend that every possible facility may be granted towards carrying into effect the purpose indicated in the note of the 19th ultimo to Lord Lyons, a copy of which accompanied the letter of the 22d of that month first above referred to.

I have the honor to be, sir, your obedient servant,

F. W. SEWARD, *Acting Secretary.*

Hon. E. M. STANTON, *Secretary of War.*

Mr. Dana to Mr. Seward.

WAR DEPARTMENT,
Washington, September 30, 1864.

SIR: I am instructed by the Secretary of War to acknowledge the receipt of your letter of the 27th instant, enclosing a copy of a note and its accompaniments from J. Hume Burnley, esq., relative to the case of Andrew Cunningham, killed in the service of the United States, and, in reply, to inform you that a copy of the papers in the case has been sent to the Second Auditor, with the request that, whenever the widow of Andrew Cunningham shall present her claim for whatever bounty or pension is due to her deceased husband, it may receive that special and immediate attention, the assurances of which were made to Lord Lyons by the Department of State.

I have the honor to be, sir, your obedient servant,

C. A. DANA,
Assistant Secretary of War.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, October 7, 1864.

SIR: Referring to your communication of the 20th ultimo, and to my reply of the 27th of the same month, relative to the case of Andrew Cunningham, who was killed in battle, so far as they relate to the arrears of pay and bounty, I have the honor to enclose a copy of a letter of the 30th of September last from the Assistant Secretary of War, and a form of application for the payment thereof, which, on being filled up and duly executed by the widow of the deceased, and returned to this department, will be transmitted to the Second Auditor for payment.

With regard to the special reparation referred to in my note of the 19th of August last to Lord Lyons, the subject will be submitted to the favorable consideration of Congress at its ensuing session.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c.*, *&c.*, *&c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *November* 25, 1864.

SIR: With reference to your note of the 7th ultimo, relative to the case of Andrew Cunningham, who was killed in battle, and enclosing a form of application for arrears of pay and bounty to be executed by the widow of the deceased, I have now the honor to enclose copy of a despatch from Viscount Monck, returning the said form filled up and witnessed, and signed by Mrs. Cunningham.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

For Lord Lyons, J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

[Enclosure.]

Viscount Monck to Lord Lyons.

QUEBEC, *November* 21, 1864.

MY LORD: With reference to Mr. Burnley's despatch of the 9th of October, in which, at the request of the United States government, he enclosed a blank form to be filled up by the widow of Andrew Cunningham, in order to enable her to receive Cunningham's arrears of pay and bounty, I have now the honor to return to you the said form filled up and witnessed, and signed by Mrs. Cunningham.

I have, &c., &c.,

MONCK.

LORD LYONS, *&c., &c., &c.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, November 29, 1864.

MY LORD: I have the honor to acknowledge the receipt of your communication of the 25th instant, relative to the application of Mrs. Cunningham for the bounty and arrears of pay due to her husband, Andrew Cunningham, who was killed in the service of the United States, and, in reply, to inform your lordship that I have transmitted the application to the Second Auditor of the Treasury.

Accept, my lord, the renewed assurances of my high consideration.

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. Seward to Mr. French.

DEPARTMENT OF STATE,
Washington, November 30, 1864.

SIR: I enclose the application of Mrs. Cunningham for the bounty and arrears of pay due to her husband, Andrew Cunningham, who was killed while in the military service of the United States. I will thank you to take the application into consideration, and inform me of the result.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

E. B. FRENCH, Esq., *Second Auditor of the Treasury.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 6, 1865.

SIR: I have the honor to enclose herewith the application for arrears of pay and bounty due Andrew Cunningham, who was killed in battle and to state that having been referred to the Second Auditor for payment, it was returned to the department in consequence of the omission to specify therein the company and regiment to which the deceased was attached. I will thank you to cause it to

be returned to the applicant with a view to the correction being made. I transmit, also, a certificate also of the death of the person in question, the return of which, together with the application when completed, is desired.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c.*, *&c.*, *&c.*

[Enclosure.]

Application of widow for bounty and arrears of pay.

PROVINCE OF CANADA, *District of Montreal, ss:*

On this 15th day of November, 1864, personally appeared before me, a justice of the peace, notary republic and commissioner for receiving affidavits, and for the city and district of Montreal, in county of Montreal, in the said province, who being duly sworn, declares that her age is thirty-three years; that she is the widow of Andrew Cunningham, late of the county of Montreal aforesaid, who was a private in company G, in the thirty-ninth regiment of New York volunteers, who died in the service of the United States in battle at Po river, Virginia, on or about the 10th day of May, 1864; that her maiden name was Ann Machin, and that she was married to said Andrew Cunningham, deceased, on or about the 10th day of September, 1854, at the city of Quebec, in said province, by the Reverend ————, as will appear upon reference unto the marriage certificate of the said Ann Cunningham, duly certified, and now in the hand ofthe Honorable W. H. Seward, Secretary of State United States.

This declaration is made to recover all arrears of pay and other allowances due said deceased from the United States, and the bounty provided by the sixth section of the act of Congress approved July 22, 1861; and she directs all communications and the certificate for pay to be sent to her at Montreal post office, Canada, in care of Chief Constable McLaughlin, government police.

Signature of claimant:

ANNE CUNNINGHAM.

Also personally appeared before me Henry Deery, trader, and Thomas Cullen, watchmaker, both of the city and district of Montreal, in the province of Canada to me well known as credible persons, who being duly sworn, declare that they have been for one year acquainted with the above-named applicant and Andrew Cunningham, deceased, who was a private soldier in company of the regiment of United States army, and know that the said late Andrew Cunningham was the lawfully wedded husband of the said above-named applicant, Anne Cunningham, *né* Mackin, and that she is therefore this deceased late Andrew Cunningham's widow, and that they have no interest whatever in this application.

Signatures of witnesses:

HENRY DEERY.
THOMAS CULLEN.

Sworn to and subscribed before me, this 15th day of November, 1864.

J. A. LABADIE,
Justice Peace and Notary Public.

I certify that J. A. Labadie, before whom the above declaration and affidavit were made, is a justice of the peace, commissioner for receiving affidavits and notary republic, duly authorized to administer oaths, and that the above is his signature.

In witness whereof, I have hereunto set my hand and official seal, this 16th day of November, 1864.

————,

[SEAL.] *Prothonotary of the Supreme Court, District of Montreal.*

NOTES.

1. Record evidence of marriage, duly authenticated under seal, must be furnished, when in existence. If such record evidence cannot be furnished, it should be so stated in the application, and a certificate of marriage, sworn to by the officer or clergyman who officiated to be the original, or a correct copy thereof, duly authenticated, will be received. Should the claimant not be able to produce either record evidence or marriage certificate, as aforesaid, let her say that she is without a certificate of marriage, and is unable to procure record evidence of the same. Then, and in such a case, in addition to her own statements as to her marriage, the number, names, and ages of her children, if she has any, &c., there must be such a statement by two disinterested witnesses as will fully satisfy the accounting officers that they are well acquainted with the history of the family, and know the claimant to have been the lawful wife of the deceased.

2. In all cases where a mark is substituted for the written signature, two disinterested witnesses are required.

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 25, 1865.

SIR: With reference to your note of the 6th of January, I have the honor to transmit to you, herewith, the application of Mrs. Cunningham for the arrears of pay and bounty money due to the late Andrew Cunningham. The informality in that paper alluded to has now been duly rectified by Mrs. Cunningham.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 4, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 25th of January, together with the application of Mrs. Cunningham for the arrears and pay and bounty due to the late Andrew Cunningham. The omission referred to in my note of the 6th ultimo having now been corrected, I shall lose no time in causing that paper to be transmitted to the proper quarter for adjustment.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. French.

DEPARTMENT OF STATE,
Washington, February 4, 1865.

SIR: Referring to my communication of the 29th of November last, and your reply, returning for correction the application of Mrs. Cunningham for arrears of pay and bounty due to the late Andrew Cunningham, I herewith transmit

the paper which has been duly rectified, together with the certificate of the death of the person above named. I will thank you to give the matter your early attention.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

E. B. FRENCH, Esq., *Second Auditor.*

Sir Frederick Bruce to Mr. Seward.

WASHINGTON, D. C., *September* 28, 1865.

SIR: The widow of Andrew Cunningham, who was illegally enlisted into the army of the United States January 8, 1864, and who was killed on May 10, before his discharge was obtained, has applied to me with reference to compensation for his loss.

In a despatch dated October 9, 1864, the government of the United States having already expressed their intention to award special reparation to the family of the deceased, you informed Lord Lyons that the question should be submitted to Congress.

The widow is anxious to know whether Congress entertained the application favorably, and whether any further steps on her part are necessary.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Sir Frederick Bruce to Mr. Seward.

WASHINGTON, *February* 9, 1866.

SIR: With reference to previous correspondence, and especially to Mr. Hunter's note to me of October 25, 1865, I have the honor to forward, for early and favorable consideration, the copy of a further petition praying for compensation to the relations of the late Andrew Cunningham, in the hope that the government of the United States may be able to present it to Congress for its action during its existing session.

I have the honor to be, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

WASHINGTON, *February* 9, 1866.

SIR: Mrs. Ann Cunningham, of Montreal, Canada, a subject of her Majesty Queen Victoria, has the honor to state, that Andrew Cunningham, who was a British subject, and who resided at Montreal aforesaid, on the 8th of January, in the year 1864, happening then to be in the city of New York upon his business as a trader, was illegally enlisted and taken into company G, 39th regiment New York volunteers, as a private. Within a short time after said pretended enlistment, and as soon thereafter as he had opportunity to do so, he, said Andrew Cunningham, applied to your predecessor in office, Lord Lyons, for his aid to pro-

cure his discharge. His lordship made prompt application for that purpose to the honorable William H. Seward, Secretary of State for the United States, and while the said matter was still under examination and undetermined, viz., on the tenth day of May, 1864, at the battle of Po river, in the State of Virginia, the said Andrew Cunningham was killed in the line of his duty, as a private in said regiment, and without any fault upon his part.

The Secretary of State of the United States, however, in expressing the profound regret of the United States government at this sad event, has stated that it will cheerfully accord to the family of the deceased such special reparation as the Congress of the United States may feel justly due.

The said Andrew Cunningham was an honest, industrious, sober, and respectable man, about 35 years of age at the time of his death. He was dependent upon his skill and success as a trader for his means for supporting himself and his family. He had been married to the said Ann Cunninghan nearly twelve years next before his death; his widow and his mother-in-law also had been in his lifetime dependent upon him for their maintenance.

The loss of husband and son are, of course, irreparable. But, although no money can compensate the said widow, yet she claims that in equity and justice something should be done by the government of the United States to divide with her the great burden, and that she should not be left in her widowhood both bereaved and impoverished.

She therefore humbly prays your kind offices to obtain from the government of the United States some compensation for her loss, and states that the sum of ten thousand dollars ($10,000) will not be too much, but will be gratefully accepted as the utmost extent of her claim.

She has the honor to be, sir, with profound respect,

ANN CUNNINGHAM,

By her attorney, O. J. Devlin, Notary, Montreal, Canada.

Hon. Sir F. BRUCE, *&c., &c., &c.*

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 57.

STATE GOVERNMENT FOR NEW MEXICO.

MEMORIAL

OF THE

ASSEMBLY OF NEW MEXICO,

IN REGARD TO

A State government for that Territory.

MARCH 7, 1866.—Referred to the Committee on the Territories and ordered to be printed.

OFFICE SECRETARY OF THE TERRITORY,
Santa Fé, New Mexico, February 10, 1866.

SIR: Herewith, in compliance with a resolution of the legislative assembly of New Mexico, I have the honor to send you a certified copy of a memorial unanimously adopted by that body in regard to a State government for New Mexico, which you are most respectfully requested to submit to the honorable House of Representatives.

I have the honor to be, very respectfully, your obedient servant,

W. F M. ARNY,
Secretary Territory of New Mexico.

HON. SCHUYLER COLFAX,
Speaker of the House of Representatives.

MEMORIAL.

To the honorable Senate and House of Representatives in Congress assembled:

Your memorialists, the council and house of representatives of the legislative assembly of the Territory of New Mexico, would most respectfully represent to your honorable bodies: That they have passed an act authorizing the governor of this Territory to call a convention to frame a constitution for a State government, republican in form.

Therefore, your memorialists would most respectfully solicit your honorable bodies to sanction said act. as passed by the legislature of this Territory, and request that the Territory of New Mexico be admitted, as the State of New Mexico, into the Union, whenever our constitution is approved by the people of New Mexico, and presented for the approval of your honorable bodies; and your memorialists, as in duty bound, will ever pray.

Resolved by the council, the house of representatives concurring therein, That the honorable secretary of the Territory is hereby requested to transmit certified copies of this memorial to the honorable President of the Senate, the honorable Speaker of the House of Representatives, and to the Hon. J. Francisco Chaves, our delegate in Congress.

MIGUEL E. PINO,
President of Council.
SAMUEL ELLISON,
Speaker House of Representatives, New Mexico.

Approved:

HENRY CONNELLY,
Governor of New Mexico.

I, W. F. M. Arny, secretary of the Territory of New Mexico, do hereby certify that the foregoing is a translated copy of the original, in Spanish, as passed by the legislature, which is on file in my office.

In testimony whereof, I have hereunto set my hand and affixed my official seal, at Santa Fé, New Mexico, this 10th February, 1866.

[SEAL.]

W. F. M. ARNY,
Secretary Territory of New Mexico.

PROCLAMATION BY THE GOVERNOR OF NEW MEXICO.

Whereas, by acts of the legislative assembly of the Territory of New Mexico, approved the 31st day of January, 1866, the governor is authorized and required to order an election to be held on the first Monday of March, 1866, for members of a convention to be held at Santa Fé on the fifth Monday of April, 1866, for the purpose of forming a constitution for the organization of a State government for New Mexico, and the same to be submitted to a vote of the people for their approval or disapproval; and

Whereas the said acts have defined the manner in which such election shall be held, and the number and qualifications of the members to be elected from each county to said convention: Therefore,

I, Henry Connelly, governor of the Territory of New Mexico, by virtue of the authority in me vested, and in obedience to the requisitions of the acts aforesaid, do issue this my proclamation, and ordain:

That the probate judges of the counties of this Territory do call and cause to be held an election in each precinct of their respective counties on the 5th day of March, 1866, for delegates to a convention to frame a State constitution for the State of New Mexico. The number of delegates from each county to be as follows, viz:

For the county of Taos, 12 members; for the county of Rio Arriba, 10 members; for the county of Santa Fé, 8 members; for the county of San Miguel, 12 members; for the county of Mora, 6 members; for the county of Santa Ana, 4 members; for the county of Bernalillo,, 6 members; for the county of Valencia, 8 members; for the county of Socorro, 6 members; for the county of Doña Ana, 6 members.

The probate judges of the respective counties are hereby required to cause said election to be held, and returns to be made to the secretary of the Territory, and certificates of election given to the members elected in conformity with the election laws of New Mexico and the laws herewith appended.

In testimony whereof, I have hereunto signed my name and caused the great [L. S.] seal of the Territory to be thereto affixed.

Done at Santa Fé, this 2d day of February, 1866.

HENRY CONNELLY.

By the Governor:

W. F. M. ARNY,

Secretary of the Territory of New Mexico.

LEGISLATIVE ASSEMBLY OF THE TERRITORY OF NEW MEXICO.

AN ACT authorizing the governor to call a convention to frame a constitution for a government of State.

Whereas we, the members of the legislative assembly, as the representatives of the people of the Territory of New Mexico, believing that our people are capable of self-government, and it is our duty to organize a State government; and

Whereas we are satisfied that the honorable Congress of the United States desires only to know that a majority of the people of this Territory wish to organize a State government with a constitution republican in form: Therefore,

Be it enacted by the legislative assembly of the Territory of New Mexico:

SECTION 1. That his excellency, the governor of this Territory be, and he is hereby, required to issue immediately a proclamation ordering an election, which shall be held as hereinafter provided, for the election of members to a convention to frame a constitution for the State of New Mexico.

SECTION 2. That said election shall be conducted in conformity with the laws of this Territory now in force governing elections for members of the council and house of representatives of the legislature, except as to the time of holding the election, which shall be on the first Monday of March, 1866.

SECTION 3. That the apportionment of the members to be elected to said convention shall be double the number of members of the council and house of representatives for each county in the Territory, as now provided by the law of this Territory.

SECTION 4. That said convention shall meet at Santa Fé on the fifth Monday of April, 1866, and shall proceed to frame a constitution for the State of New Mexico. *Provided*, That said constitution shall be submitted to the vote of the people of this Territory as hereinafter provided.

SEC. 5. That it shall be the duty of the members of said convention, immediately after having framed and approved a State constitution, to deliver the same to the governor of this Territory, who is hereby required to issue a proclamation for an election, to be held on the fourth Monday of June, 1866, for the purpose of submitting said constitution to the vote of the people of this Territory; and in event that a majority of the legal voters of this Territory adopt such constitution, then it shall be submitted to the Congress of the United States for its approval.

SEC. 6. It shall be the duty of the probate judges of the respective counties of said Territory, as soon as they have received the governor's proclamation, to issue their proclamation, designating the time and places of holding the elections ordered under this act, and they shall appoint the judges of the elections, as required by the election laws now in force.

SEC. 7. That it shall be the duty of the probate judges of the several counties of this Territory to issue a certificate of election to each delegate elected in their respective counties, which certificate shall be presented by said delegate on the day assigned for the meeting; and delegates to said convention are required to take an oath similar to that taken by the representatives before they enter upon the discharge of their duties, and said convention shall judge of the qualifications of its members.

SEC. 8. That the secretary of this Territory is hereby required to have

printed one thousand copies in Spanish, and five hundred in English, of the constitution adopted by said convention, which he shall transmit, together with the governor's proclamation, to the probate judges of the several counties, for the information of the people. *Provided*, That the expenses of election and the carrying of the election returns shall be paid out of any funds in the territorial treasury not otherwise appropriated; and the auditor is hereby authorized to draw a warrant in favor of the person having a certificate from the secretary of the Territory of having rendered such services, and the treasurer shall pay the same.

SEC. 9. All elections under this law shall be held in conformity with the laws of this Territory; and all votes given at said elections shall be counted as provided by the election laws of New Mexico; and all violations, or frauds at the said election, shall be punished as provided by said election law of this Territory: *Provided*, That the secretary of the Territory is hereby required to transmit to the several judges of probate as many copies as there be precincts in each county: *Provided, further*, That the secretary of the Territory is required to furnish each member of the present legislature with a printed copy of this act before its final adjournment.

SEC. 10. That this act shall be in force for the purposes therein mentioned, and for no others.

AN ACT to amend an act adopted by the legislative assembly January 30, 1866, entitled "An act to authorize the governor to call a convention to frame a constitution for a State government."

Be it enacted by the legislative assembly of the Territory of New Mexico:

SECTION 1. That the qualifications of voters at the election for the members of the convention to frame a constitution, and in all other elections authorized by the act adopted January 30, 1866, entitled "An act to authorize the governor to call a convention to frame a constitution for a State government," shall be as follows, to wit: They shall be male citizens of the United States and residents of the Territory, over twenty-one years of age, who shall have resided in the Territory over one year previous to the approval of this act, and is not in the military service of the United States as soldier or officer, or otherwise employed in said service.

SEC. 2. The members of said convention shall possess similar qualifications as specified in the foregoing section, provided only that the said members shall not be under twenty-four years of age.

SEC. 3. The per diem and mileage of the members shall be the same as that paid to the members of the legislature, and to be paid in certificates of service given by the president and chief clerk of the convention.

SEC. 4. All the votes cast at each election under this act, and the act to which it is an amendment, shall be counted by the governor and secretary of the Territory, as provided in the election laws now in force in this Territory.

SEC. 5. All acts and parts of acts in conflict with this act are hereby repealed, and this act shall be in force from and after its approval.

UNITED STATES OF AMERICA,
Territory of New Mexico:

I, William F. M. Arny, secretary of the Territory of New Mexico, do hereby certify that the foregoing is a true translated copy of the original law approved January 31, 1866, as on file in my office.

In testimony whereof, I have hereunto signed my name and affixed my official seal at Santa Fé, New Mexico, this 1st day of February, 1866.

[SEAL.]

W. F. M. ARNY,
Secretary Territory of New Mexico.

CAPITOL BUILDING FOR NEW MEXICO.

MEMORIAL

OF THE

LEGISLATURE OF NEW MEXICO,

IN REGARD TO

A capitol building for that Territory.

MARCH 7, 1866.—Referred to the Committee on the Territories and ordered to be printed.

OFFICE SECRETARY OF THE TERRITORY,
Santa Fé, New Mexico, February 12, 1866.

SIR: In compliance with a resolution of the honorable legislative assembly of New Mexico, I have the honor to transmit herewith a memorial in regard to the capitol building of this Terrritory; which memorial you are respectfully requested to submit to the honorable the House of Representatives.

I have the honor to be, very respectfully, your obedient servant,

W. F. M. ARNY.

Hon. SCHUYLER COLFAX,
Speaker of the House of Representatives.

To the honorable Congress of the United States:

The memorial of the legislative assembly of the Territory of New Mexico respectfully represents, that the amounts appropriated by Congress for the erection of a capitol at Santa Fé having been expended previous to the month of April, 1857, and the subsequent appropriations not being sufficient to complete the work, that building has remained in an unfinished condition, exposed to the vicissitudes of the weather for several years, from which unavoidable exposure, much damage and loss have naturally resulted to the wood-work and material on hand, and the building remains in a condition that it cannot be used till it is completed.

All the details in respect to this important work are contained in the reports of the various officers in charge of the work, which are on file in the United States Treasury Department; the estimate made by competent workmen, and forwarded to the Treasury Department by the Hon. W. F. M. Arny, secretary of the Territory, who was appointed last year by the honorable Secretary of the Treasury to look after the public buildings and report. In consequence of the loss and damage sus-

tained by this building in its unfinished state for several years, and the further exposure before work can again commence on it; the estimate for the completion of the work is stated at $120,000. The honorable secretary of the Territory, after a thorough investigation, reports that an appropriation of $70,000, in addition to what has been appropriated, will be sufficient to complete the building, and furnish it for the use of the legislature and the officers of the government. Therefore, your memorialists respectfully urge that an additional appropriation of $70,000 be made by Congress for that purpose.

And, as in duty bound, your petitioners will ever pray.

SAMUEL ELLISON,
Speaker of House of Representatives, New Mexico.
MIGUEL E. PINO,
President of Council.

Approved:

HENRY CONNELLY,
Governor of New Mexico.

I, W. F. M. Arny, secretary of the Territory of New Mexico, do hereby certify that the foregoing is a translated copy from the original, in Spanish, as passed by the legislature, which is on file in my office.

In testimony whereof, I have hereunto set my hand and affixed my official seal, at Santa Fé, New Mexico, this 12th day of February, 1866.

[SEAL.]

W. F. M. ARNY,
Secretary Territory of New Mexico.

VETO POWER OF THE GOVERNOR OF NEW MEXICO.

MEMORIAL

OF THE

LEGISLATURE OF NEW MEXICO,

RELATIVE TO

The veto power of the governor of that Territory.

MARCH 7, 1866.—Referred to the Committee on the Territories and ordered to be printed.

OFFICE OF SECRETARY OF THE TERRITORY,
Santa Fé, New Mexico, February 8, 1866.

SIR: Herewith I have the honor to send you, in compliance with a resolution of the legislative assembly of New Mexico, a memorial asking a change in the organic act of this Territory in regard to the veto power of the governor, which you are respectfully requested to communicate to the honorable House of Representatives.

I have the honor to be, very respectfully, your obedient servant,

W. F. M. ARNY,
Secretary Territory of New Mexico.

Hon. SCHUYLER COLFAX,
Speaker of the House of Representatives.

MEMORIAL.

To the honorable Congress of the United States:

Your memorialists, the council and house of representatives of the legislative assembly of the Territory of New Mexico, would most respectfully represent: That the organic law of this Territory gives the governor absolute power of rejecting the acts passed by both houses of the legislative assembly, not withstanding they be passed unanimously, which has frequently been the case contrary to the wishes of the people of this Territory.

The law, as it is now, takes all the power from the hands of the people and their representatives, and places the same in the hands of a single individual.

Your memorialists, therefore, would most respectfully ask your honorable bodies to amend the organic law of this Territory in section third, so that it read in the same way as the organic act of Colorado, approved March 2, 1863, which reads as follows, to wit:

"That every bill which shall have passed the legislative assembly, shall, before it become a law, be presented to the governor of the Territory; if he ap-

prove, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the assembly, by adjournment, prevent its return, in which case it shall not be a law."

Your memorialists being confident that this amendment will be in itself more republican, and in conformity with the laws of the United States government, we therefore ask the adoption of the same by your honorable bodies; and, as in duty bound, we shall ever pray.

Resolved, That the honorable secretary of the Territory be, and he is hereby, requested to transmit certified copies of the foregoing memorial to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States.

MIGUEL E. PINO,
Pres't Council.
SAMUEL ELLISON.
Speaker H. R. N. M.

Approved

HENRY CONNELLY,
Governor N. M.

I, W. F M. Arny, secretary of the Territory of New Mexico, do hereby certify that the foregoing is a translated copy of the original, in Spanish, as passed by the legislature, which is on file in my office.

In testimony whereof, I have hereunto set my hand and affixed my official seal, at Santa Fé, New Mexico, the 31st January, 1866.

[L. S.]

W. F. M. ARNY,
Secretary Territory of New Mexico.

39TH CONGRESS, 1st Session. HOUSE OF REPRESENTATIVES. MIS. DOC. No. 60.

PROBATE JURISDICTION IN NEW MEXICO.

MEMORIAL

OF THE

LEGISLATURE OF NEW MEXICO,

RELATIVE TO

The jurisdiction of the probate judge in that Territory.

MARCH 7, 1866.—Referred to the Committee on the Territories and ordered to be printed.

OFFICE SECRETARY OF THE TERRITORY,
Santa Fé, New Mexico, February 12, 1866.

SIR: Herewith I have the honor, in compliance with a resolution of the honorable legislative assembly of New Mexico, to send you a copy of a memorial in regard to the jurisdiction of probate judges in this Territory, which you are respectfully requested to submit to the honorable House of Representatives.

I have the honor to be, respectfully, your obedient servant,

W. F M. ARNY,
Secretary Territory of New Mexico.

HON. SCHUYLER COLFAX,
Speaker of the House of Representatives.

MEMORIAL.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the council and house of representatives of the Territory of New Mexico, would most respectfully represent: That the revised code prepared and corrected by the committee appointed the effect, presented on the 10th day of February, 1865, in conformity with the act of January of same year, contains an act approved February 2, 1860, giving jurisdiction both in criminal and civil cases to the probate judges of the several counties, which act is found in page 31 of said revised code, and the legislators who passed and sanctioned the same were of opinion that it was in conformity with section 10 of the organic law of this Territory, which reads as follows, to wit:

"The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of justices of the peace, shall be as limited by law: *Provided*, That justices of the peace shall not have jurisdiction

of any matter in controversy when the title or boundaries of land may be in dispute, or when the debt or sum claimed shall not exceed one hundred dollars.'

And as the district courts have decided in open court that the probate courts have no jurisdiction, neither in criminal nor in civil cases, such error exists in our code by the act referred to, passed in the year aforesaid, which gives jurisdiction to the probate courts in civil cases when the amount does not exceed the amount of five hundred dollars, and in criminal cases when the fine or punishment does not exceed fifty dollars, according to the commission of the crime, which law we are fully convinced of the good effects resulting from it in our Territory, as it prevents the demurrer of the cases, and the crimes are sooner punished under said act; but if our code does conflict, in that respect, with the said section 10 of the organic law of this Territory, we humbly ask that said organic law be amended so that the probate courts be authorized to decide civil cases where the amount does not exceed one thousand dollars, and in criminal cases where the fine or punishment does not exceed one hundred dollars.

We therefore ask that such amendments be made; and, as in duty bound, shall ever pray, &c.

Be it resolved, That the hon secretary of the Territory be, and he is hereby, requested to transmit certified copies of the foregoing memorial to the President of the Senate, to the Speaker of the House of Representatives of the United States, and to our delegate in Congress.

SAMUEL ELLISON,
Speaker House of Representatives, New Mexico.
MIGUEL E. RINO,
President of Council.

Approved:

HENRY CONNELLY,
Governor of New Mexico.

I, W. F. M. Arny, secretary of the Territory of New Mexico, do hereby certify that the foregoing is a translated copy from the original, in Spanish, as passed by the legislature, which is on file in my office.

In testimony whereof, I have hereunto set my hand and affixed my official seal, at Santa Fé, New Mexico, this 12th February, 1866.

[SEAL.]

W. F. M. ARNY,
Secretary Territory of New Mexico.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 61.

PENITENTIARY IN NEW MEXICO.

MEMORIAL

OF THE

LEGISLATURE OF NEW MEXICO,

RELATIVE TO

A penitentiary in that Territory.

MARCH 7, 1866.—Referred to the Committee on the Territories and ordered to be printed.

OFFICE SECRETARY OF THE TERRITORY,
Sante Fé, New Mexico, February 13, 1866.

DEAR SIR: Herewith I have the honor to send you, by direction of the legislature of New Mexico, a memorial in regard to a penitentiary in this Territory.

You are most respectfully requested to lay it before the House of Representatives for its action.

I have the honor to be, very respectfully, your obedient servant,

W. F. M. ARNY,
Secretary Territory of New Mexico.

HON. SCHUYLER COLFAX,
Speaker of the House of Representatives.

MEMORIAL.

To the honorable Congress of the United States:

Your memorialists, the legislative assembly of the Territory of New Mexico, would respectfully represent:

That by an act of Congress approved March 3, 1853, the sum of twenty thousand dollars was appropriated for the purchase of a site and the erection of a penitentiary in the Territory of New Mexico. David Merriwether, governor of the Territory, and, by appointment of the Secretary of the Treasury, commissioner and disbursing agent for the public buildings of New Mexico, proceeded in the winter of 1854 and spring of 1855 to select a site and commence the erection of a penitentiary.

Plans and drawings were forwarded from the Treasury Department, upon which Governor Merriwether, as commissioner, directed the superintendent to proceed to construct the work. It was evident to all the least conversant with such work that in New Mexico, where so many difficulties are met with in such class of constructions, the appropriations would not half complete the structure called for by the plans, elevations, and specifications forwarded by the Treasury

Department; and, furthermore, that could the buildings have been completed, they would not have been adequate to the necessities of the Territory.

The work was carried on according to the plan until the appropriation was exhausted, when the work ceased in 1857. The heavy stone foundation of the outer wall of the prison yard, laid in cement—eighteen cells completed this—with the delivery of a large amount of massive stone on the ground, is all that the twenty thousand dollars accomplished.

Your memorialists have repeatedly brought this matter to the attention of Congress, but as yet with no favorable result. But in view of the known generosity and justice of the United States toward the Territories, and being fully impressed with the belief that the importance of carrying out the laws, and in the suppression of crime, and insuring the common peace and safety of the Territory, is appreciated by Congress, and that you will not permit this building to stand thus unfinished and useless and decaying by exposure, a reproach upon the librality and justice of the government.

Your memorialists would further represent, that for want of this penitentiary criminals convicted of the highest crimes and misdemeanors roam the Territory with impunity and go unpunished, there being no jails or prisons in any part of the Territory adequate for their safe detention, or to enable the officers of justice to enforce the sentence of the law. The administration of the criminal law has in consequence, in many parts of our Territory, become almost a mockery. So murderers often escape punishment, and thieves go at large to renew their depredations, and the law cannot be enforced against them, nor can they be restrained from the further commission of crime unless a place of secure confinement be provided.

Your memorialists would therefore ask your honorable body to make an appropriation of seventy-five thousand dollars, to erect a penitentiary and other buildings and machinery necessary, and for the purchase of a site at or near some stream where water can be obtained, so as to run machinery, and where convicts can be made to work, and thus support themselves at less expense to the government of the United States and this Territory.

Your memorialists would also ask that authority be given to the honorable Secretary of the United States Treasury to have the stone and material in the present unfinished penitentiary used in finishing the capitol building, and the site sold, and the proceeds appropriated to the purchase of a new site where there is a sufficiency of water.

Your memorialists respectfully refer to the honorable J. Francisco Chaves, our delegate in Congress, for further particulars and explanations in regard to the urgent necessity for a penitentiary in New Mexico.

MIGUEL E. PINO,
President of Council.
SAMUEL ELLISON,
Speaker House of Representatives, New Mexico.

Approved:

HENRY CONNELLY,
Governor of New Mexico.

I, W. F. M. Arny, secretary of the Territory of New Mexico, do hereby certify that the foregoing is a translated copy from the original, in Spanish, as passed by the legislature, which is on file in my office.

In testimony whereof, I have hereunto set my hand and affixed my official seal, at Santa Fé, New Mexico, this 31st day of January, 1866.

SEAL.] W. F. M. ARNY,
Secretary Territory of New Mexico.

RESOLUTION

OF THE

LEGISLATURE OF KENTUCKY,

REMONSTRATING

Against the proposed tax on leaf tobacco.

MARCH 12, 1866.—Ordered to be printed.

RESOLUTION remonstrating against the tax on leaf tobacco.

1. *Resolved by the general assembly of the Commonwealth of Kentucky,* That the effort now being made by certain manufacturers, dealers, and speculators in tobacco to induce Congress to remove the present tax on manufactured tobacco, and place it on the leaf in the hands of the producer, will, if successful, in the opinion of this general assembly, be disastrous and ruinous in its effect upon the tobacco interest of the country, and will greatly lessen the production of this important staple in the State and elsewhere, thereby cutting off a prolific source of revenue, both State and federal, and in many ways permanently injuring the production by planters of this most important source of national wealth.

2. That the general assembly respectfully but earnestly remonstrate with Congress against the proposed tax on leaf tobacco, and our senators and members of Congress are requested to use their influence and vote against any law of the kind that may be proposed.

3. That a copy of these resolutions be sent to each of our senators and representatives in Congress.

H. TAYLOR,
Speaker of the House of Representatives.
RICHARD T. JACOB,
Speaker of the Senate.

Approved January 24, 1866.

THOMAS E. BRAMLETTE,
Governor of Kentucky.

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 63.

CLAIM OF THE STATE OF MISSOURI.

[To accompany bill S. No. 31.]

STATEMENT

IN REFERENCE TO

THE CLAIM OF THE STATE OF MISSOURI

FOR

Expenses incurred in the support of her militia during the war.

MARCH 12, 1866.—Ordered to be printed.

THIRTY-NINTH CONGRESS, FIRST SESSION.

SENATE MIS. DOC. NO. 11.

Statement in reference to the claim of the State of Missouri for reimbursement for expenses incurred in the support of her militia during the war.

DECEMBER 18, 1865.—Referred to the Committee on Military Affairs and the Militia and ordered to be printed, (to accompany bill S. 31.)

JEFFERSON CITY, MO., *December 5*, 1865.

To the honorable Committees on Military Affairs of the Senate and House of Representatives, Congress of the United States:

GENTLEMEN: Having been appointed by the governor of Missouri to collect and prepare the necessary data and information concerning the claim for reimbursement which is now made by the State of Missouri from the United States, for moneys expended and debts incurred in the support of her "militia" called into service and wholly paid by her during the past four years, for purposes of repelling invasion and repressing insurrection incident to and growing out of the great struggle through which the nation has just passed, I have the honor to submit the following statement of facts, explaining in as short and succinct manner as possible the nature and amount of the claim, the reasons why it was incurred, and accompanied by proper sworn and certified statements showing the amounts in aggregate which have been issued and paid out by her duly authorized disbursing officers. I may state that inasmuch as I was in an important official position under the State government during the most of the war, I am personally cognizant of the reasons and emergencies which required these expenditures, and shall be ready at any time to offer my testimony in person before you touching any points which may need explanation, should it be thought necessary.

Very respectfully, your obedient servant,

JOHN B. GRAY.

In the summer of 1861 the United States forces raised in this State, and brought hither from other States, were inadequate to the task of repelling the invasion of this State and of suppressing insurrection therein. The disloyal State authorities had retreated with the rebel forces, and left the seat of government.

The State convention which was called into being by a disloyal legislature in the early part of the year for purposes of secession, but which proved to be possessed of a majority of loyal men, had then the charge and administration of the government of the State.

This State convention, upon whom the administration of affairs thus necessarily devolved, declared the offices, legislative and executive, vacant, established a loyal State government, and appointed Hamilton R. Gamble (one of its members) governor.

During the same session, viz: in July, 1861, the convention authorized Governor Gamble to call for such number of militia as should be deemed necessary for the purpose of maintaining the power of the federal government and the newly organized loyal State government, and to co-operate with the United States troops already in the State for that purpose.

Accordingly, on the 24th day of August, 1861, the governor did, by his proclamation, call for a force of volunteer militia for the period of six months, unless peace should be sooner restored.

In answer to this call, a force of ninety-four (94) companies, containing about six thousand (6,000) men, was immediately raised, and did good service in guarding lines of communication, scouting, and guiding other bodies of troops within the State, who were less familiar with the country, as well as relieving large numbers of the United States troops, whose presence was needed in other fields.

This force was called, to distinguish it from other classes of militia subsequently ordered out, "the six-months militia."

DEFENCE WARRANTS.

To provide for its support and payment, the conventon, at its October session, 1861, passed an ordinance, directing the issue of "State defence warrants," so that an amount not exceeding one million dollars should be in circulation at any one time, such warrants to be redeemable upon presentation out of any moneys not otherwise appropriated in the State treasury, and to be receivable for all taxes due the State.

Of this class of warrants there have been issued in the years 1861 and 1864 one million four hundred and seventy-six thousand five hundred and seventy-five dollars, ($1,476,575,) the most of which was expended in the equipment, support, and payment of "the six-months militia."

The annexed abstracts show that of this amount nine hundred and three thousand two hundred and fifty-two and $\frac{79}{100}$ dollars ($903,252 79) has been expended by the pay department, and five hundred and seventy-three thousand three hundred and twenty-two and $\frac{21}{100}$ dollars ($573,322 21) by the Quartermaster's department.

UNION MILITARY BONDS.

In the spring and summer of 1862, owing to the withdrawal of so many United States troops from the State to re-enforce our armies at the front of other fields of operations, and the frequent invasion of the State by detached armies and expeditions from the rebel trans-Mississippi departments, it became necessary for the governor to cause a general enrolment to be made of all the loyal arms-bearing population of the State, and to call the most of it into active service. This step was taken upon consultation, and by and with the advice of

the United States authorities, and at the solicitation of the United States district commander, the militia when so called out being subject to the orders of such commander.

Brigadier General John M. Schofield, then commanding the district of Missouri, was authorized by the governor to organize the entire militia of the State into companies and regiments, and to order into active service such portions thereof as he might deem necessary; this upon the 22d day of July, 1862. Whereupon General Schofield issued the following order:

["General Orders No. 19.]

"HEADQUARTERS MISSOURI STATE MILITIA,
"*Adjutant General's Office, St. Louis, July* 25, 1862.

"An immediate organization of all the militia in Missouri is hereby ordered for the purpose of exterminating the guerillas that infest the State. Every able-bodied man, capable of bearing arms and subject to military duty, is hereby ordered to repair, without delay, to the nearest military post, and report for duty to the commanding officer. Every man will bring with him whatever arms he may have, or can procure, and a good horse, if he has one.

"All arms and ammunition, of whatsoever kind, and wherever found, not in the hands of the loyal militia, will be taken possession of by the latter, and used for the public defence. Those who have no arms, and cannot procure them in the above manner, will be supplied as quickly as possible by the ordnance department.

"The militiamen who shall assemble at any post will be immediately enrolled and organized into companies, elect their officers, and be sworn into service, in accordance with the militia laws of the State, under the immediate superintendence of the commanding officer of the post.

"The militia thus organized will be governed by the articles of war and the army regulations, and will be subject to do duty under the orders of the commanding officer of the post where they are enrolled, or such other officers of United States troops or Missouri militia, regularly mustered into service, as may be assigned to their command. Commanding officers will report from day to day by telegraph, when practicable, the progress of enrolment at their posts, and the number of arms required. Six days, after the date of this order, are allowed for every man fit for military duty to report to the nearest commanding officer of a military post and be enrolled. All persons so enrolled will be regarded as belonging to the active militia of the State until further orders.

"The commanding officer of a post, or any higher commander, is authorized to give furloughs to such men of this militia force as cannot be absent from their ordinary business without serious detriment, or such as are not needed for present service. Such leaves of absence will not be for a longer period than ten days, and may be broken at any time, or renewed at their expiration, at the discretion of the officer granting them.

"The same strict discipline and obedience to orders will be enforced among the militia in service under this order as among other troops, and commanding officers will be held strictly responsible for all unauthorized acts of the men. The enrolment and organization of the militia of St. Louis will be under the direction of Colonel Lewis Merrill, commanding St. Louis division, who will establish rendezvous, appoint enrolling officers, and make such regulations as he shall deem necessary.

"By order of Brigadier General Schofield:

"C. W. MARSH,
"*Assistant Adjutant General.*"

The result of this order was the organization of some seventy regiments of what was called the "*enrolled Missouri militia,*" and the calling into active ser-

vice of a large portion thereof. And from that date until March of the present year there have been more or less of the force constantly upon duty.

Of the effectiveness and usefulness of this class of troops the evidence of every United States department commander could be adduced, but it would unnecessarily lengthen this communication. We will, however, here quote from but one letter, written by Major General Curtis, then commanding the department of the Missouri, at one of the most critical periods of the war.

"HEADQUARTERS DEPARTMENT OF THE MISSOURI,
"*St. Louis, January* 4, 1863.

"GOVERNOR: I have yours of the 29th ultimo in regard to relying on the enrolled militia, and proposing a conference on the subject. The demand for troops below has induced me to send out almost everything, so there is only Merrill's regiment of United States troops remaining north of the river; this is only partially armed. We must therefore rely mainly upon the enrolled militia. If the matter be prudently managed I have no fears. The enrolled militia are everywhere, and act therefore as sentinels in each neighborhood.

"Hindman's complete rout must disable him, so he is not likely to come again with a large force. The only trouble will be the return of rebel deserters to their homes in Missouri. To prevent new organizations of bands from this "*debris*" of the rebel forces, I hope the provost marshal's organization, aided by the enrolled militia, will keep watch and ward over the whole country. By arresting these returning rebels, and either confining them or placing them under heavy bonds, signed by their neighbors and relatives, I hope we may prevent mischief. * * * * * * * *

"I have the honor to be, governor, your obedient servant,
"S. R. CURTIS, *Major General.*

"His Excellency Gov. H. R. GAMBLE,
" *Jefferson City, Missouri.*"

It was not until January, 1863, that the United States authorities could be persuaded to issue forage, subsistence, and transportation to these troops, and prior to that time the State had been compelled to furnish such supplies out of its own resources. The following orders announced the fact:

["General Orders No. 4]

"HEADQUARTERS DEPARTMENT OF THE MISSOURI,
"*St. Louis, Mo., January* 9, 1863.

"Pursuant to authority from the Secretary of War, the 'enrolled Missouri militia' will be entitled to draw forage and subsistence, and to be furnished transportation when in actual service upon requisitions properly approved by the United States officer commanding the district in which they may be serving. But such militia will, in no case, be considered in actual service except when called out by the governor of the State or a commander of a district, and only while they are retained in service by such commander.

"By command of Major General Curtis:
"HZ. CURTIS, *Ass't Adj't Gen'l.*"

It had now become necessary for the State authorities to devise some means for the payment of this enrolled militia, and consequently the legislature, in March of 1863, passed an act (approved March 9, 1863) providing for the issue and redemption of "Union military bonds," the first section of which was as follows:

"Be it enacted by the general assembly of the State of Missouri as follows:

"SECTION 1. For the purpose of paying the enrolled militia, including surgeons and physicians, who have been in the service of the State, and such other

militia forces as may be ordered into the service of said State, the governor is hereby authorized and directed to cause to be issued State bonds, as the same may be required from time to time, to pay the militia forces aforesaid for services actually rendered to the State, in sums of one, three, five, and twenty dollars each, in all not to exceed in amount three millions of dollars, and which shall be known as "Union military bonds," and shall be payable at the office of the treasurer in Jefferson City, Missouri, twelve months after date, with six per cent. interest from date, out of the Union military fund hereinafter provided, and shall be redeemable thereafter at any time at the pleasure of the State

* * * * * * * *

"Approved March 9, 1863."

The other sections of this act provided for the form which was to be observed in the issue of the bonds, and also for the creation of a fund to be denominated the "Union military fund," to consist of such moneys as the Congress of the United States might appropriate for purposes of payment or indemnity, and also such moneys as might be raised by a system of taxation which was therein provided.

The act was entitled "An act to provide the means for the payment and support of the enrolled militia forces of the State of Missouri."

The whole of the three millions authorized to be issued by this act were issued and paid out in accordance with rules and regulations governing like payments in the United States army.

The necessity for the services of the enrolled militia had become so apparent to the authorities at Washington by this time, and the inability of the State to longer provide the necessary clothing for its support, that issues of "*clothing, camp and garrison equipage*," were commenced to be made to it, in addition to the subsistence supplies already mentioned, in the month of June, 1863.

The decision was announced in the following note from General Schofield, then department commander:

"HEADQUARTERS DEPARTMENT OF THE MISSOURI,
"*St. Louis, June* 3, 1863.

"The following despatch has just been received, and is respectfully forwarded for your information:

"'The Secretary of War authorizes the issue of clothing, camp and garrison equipage to militia in active service and under your command, and to remain in active service so long as the department commander shall require them.

"'H. W. HALLECK, *General-in-chief.*'

"I am, governor, very respectfully, your obedient servant,
"J. M. SCHOFIELD, *Major General.*

"Governor H. R. GAMBLE, *St. Louis, Mo.*"

The continued disturbed condition of the State, the presence in Arkansas of the large rebel armies under Kirby Smith, Price, and others, who were able at any time to send important expeditions within our lines, while the line of the Arkansas river was so poorly defended, and finally the invasion of the State by Price's army in September and October, 1864, when he was permitted to enter the State with 15,000 men, and to traverse it and devastate it from one end to the other, all combined to necessitate the keeping of a large force of the enrolled Missouri militia upon duty until the very close of the war. Thus it was found that the appropriation of three million dollars of Union military bonds, heretofore mentioned, was quite insufficient to meet the demands against the State for services rendered. Accordingly, in February of the present year, the legislature, by the passage of an act (approved February 20, 1865) similar in its terms to the one passed two years previous, made a still further appropriation, and

directed the issue of two million dollars more of Union military bonds, the whole of which has been issued and paid out upon arrearages due the enrolled Missouri militia.

The report of the paymaster general of the State for the present year, which is herewith annexed, shows that after the two millions above named have been paid out, there will still be a balance due in the shape of arrearages for services rendered by the enrolled militia prior to March 12, 1865, when that organization ceased to exist, of five hundred and forty-nine thousand six hundred and forty-one and $\frac{98}{100}$ dollars, ($549,641 98,) for which, together with an estimated amount due the Missouri militia of 1865, which have been in active service during the present year, of four hundred and fifty thousand dollars, ($450,000,) he asks another appropriation from the legislature of Union military bonds of one million dollars.

THE MISSOURI MILITIA OF 1865.

Early in the present year the department commander, Major General G. M. Dodge, called upon the governor for a force of volunteer militia to replace the United States troops which had been ordered out of the department to the front to participate in the final struggle for the overthrow of the rebellion. His request was as follows:

"HEADQUARTERS DEPARTMENT OF THE MISSOURI,
"*St. Louis, January* 23, 1865.

"GOVERNOR: I respectfully request that companies of militia be raised by volunteers from such classes as you deem best for service in each of the following counties:

"*Mounted.*—One company for Warren and Montgomery, one company for Callaway and Audrain, one company for Boone, one company for Ralls, Monroe, and Marion, (to be raised at Hannibal,) one company for Howard, one company for Randolph, one company for Chariton, one company for Carroll and Livingston, (to be stationed in Carroll,) one company for Ray and Caldwell, (to be stationed in Ray,) one company for Clay and Caldwell, (to be stationed in Clay,) one company for Platte, one company for Jackson, one company for Lafayette, one company for Saline, one company for Cooper and Moniteau, one company for Osage and Maries, one company for Stoddard, one company for Johnson, one company for Pettis, one company for Morgan, one company for Mississippi, one company for Scott, one company for Perry, one company for New Madrid, one company for Cape Girardeau, one company for St. Genevieve.

"*Infantry.*—One company for bridges on the Pacific railroad, one company for bridges on the Southwest Branch railroad, one company for bridges on the Iron Mountain railroad, one company for bridges on the North Missouri railroad. As soon as raised to be turned over to the sub-district commander for the respective counties.

"I will order them subsisted as soon as they rendezvous. I most earnestly request that none but experienced officers, and also old soldiers, be placed at the head of these organizations—men who will enforce orders and maintain strict discipline.

"The government will issue clothing, forage, arms, and equipments, (when the State has not sufficient arms and equipments to supply them, already issued to the E. M. M.) upon proper requisitions.

"I deem it important that this force be put in the field within the next thirty (30) days.

"I am, governor, very respectfully, your obedient servant,
"G. M. DODGE, *Major General.*

"His Excellency THOMAS C. FLETCHER, *Governor of Missouri.*"

In accordance with the above request, the governor issued his order directing the organization of the required number of companies immediately, (January 30,) and, as shown by the accompanying statement of the adjutant general of the State, there were raised and put in active service a force of fifty-seven (57) companies, containing four thousand three hundred and fifty-three (4,353) men, whose average term of service was three months, dating between the 25th of February and 6th of July. It is estimated by the paymaster general, as before stated, that it will require in the neighborhood of four hundred and fifty thousand dollars ($450,000) to pay off this force. None of it has yet been paid.

THE "MISSOURI STATE MILITIA" (TEN THOUSAND) UNITED STATES FORCE.

It should be distinctly understood that the above statement has no reference to the "Missouri State militia" force of 10,000 men which was organized under an agreement between President Lincoln and Governor Gamble in the winter of 1861 and 1862, which agreement was subsequently ratified by Congress, as these troops were wholly supported and controlled by the United States, and were virtually in the United States service during the whole war, the same as other volunteers.

THE STATE INDEBTEDNESS TO THE UNITED STATES.

The proportion of the direct tax laid upon all the States under the act approved August 5, 1861, assigned to Missouri, was seven hundred and sixty-one thousand one hundred and twenty-seven dollars and thirty-three cents, ($761,127 33,) and, in accordance with the terms of the act approved July 17, 1862, the State is to receive a credit for such sum for moneys which were expended by her in supporting her militia. This amount should be deducted from the total of the claim.

The claim of the State, as hereinbefore expressed, may therefore be thus recapitulated:

1. Amount of "defence warrants" issued and paid out, as shown by accompanying paper marked "A," (certificate of State auditor,) paper marked "B," (affidavit of paymaster general,) paper marked "C," (certified abstract of quartermaster general)	$1,476,575 00
2. Amount of "Union military bonds," issue of 1863, paid out, as shown by the first two papers aforesaid	3,000,000 00
3. Amount of "Union military bonds," issue of 1865, paid out, as shown by papers "A," "B," "C," aforesaid	2,000,000 00
4. Amount of arrearages due the enrolled Missouri militia, as shown by accompanying paper, marked "D," (paymaster general's official report)	549,641 98
5. Amount due militia of 1865, estimated, as shown by paper marked "D" aforesaid, and paper marked "E," (certificate of adjutant general of strength and length of service)	450,000 00
Total	7,476,216 98
Deduct amount of the State's proportion of the direct tax of 1861, before mentioned	761,127 33
	6,715,089 65

Leaving balance due the State, which is now claimed, of six million seven hundred and fifteen thousand eighty-nine dollars and sixty-five cents, without taking into account the amount of interest which has been and is to be paid upon the issues of "Union military bonds," which is estimated at $400,000.

The State of Missouri has pledged her faith for the redemption of the remainder of these bonds, and, in order to accomplish it, her people, already nearly impoverished by the ravages of a four years' war within their borders, are burdened by a system of military taxation, by far the heaviest that has yet been imposed by any State.

THIRTY-NINTH CONGRESS, FIRST SESSION.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 15, 1866.—Ordered to be printed.

Mr. BROWN made the following report, (No. 13.)

[To accompany bill S. No. 31.]

The Committee on Military Affairs and the Militia, having had under consideration a bill "To reimburse the State of Missouri for moneys expended for the United States in enrolling, equipping, and provisioning militia forces to aid in suppressing the rebellion," beg leave to report the same back with a unanimous recommendation in favor of its passage.

This is a bill designed, as its title expresses, to reimburse the State of Missouri for moneys expended in equipping, subsisting, and paying militia troops called into service to act in concert with the United States forces, and under the authority of United States officers, in maintaining the peace against guerilla bands, and in repelling hostile invasion. The amount appropriated is $6,715,089 65, and it is provided that a commission shall first examine and approve all the vouchers for the outlay of the State of Missouri before any payment shall be made. The bill prescribes likewise that the amount of the direct tax due to the United States, being $761,127 33, shall be deducted from the aggregate indebtedness.

Your committee have had before them evidences establishing the general correctness of this claim, evidences embracing the sworn returns of the officers of the State as to the amounts paid out by them; also abstracts showing the regiments, number of men furnished by each, and the aggregate of days actually engaged, verified by affidavit of the adjutant general of Missouri; also the proclamations calling them out for the purposes named, and placing them under the control of the United States officers; also numerous orders from department headquarters, from the general-in-chief, and from the Secretary of War, recognizing their service, and making disposition of the same, and attesting the fact of relief thus furnished at critical conjunctures, or volunteer troops thereby rendered disposable, who were sent to points of imminent danger. All these taken together sufficiently confirm the right of the State to reimbursement, upon grounds established by many precedents not necessary to be here reviewed.

Your committee further submit that these advances of money and payments of troops by the State of Missouri have been made under the most adverse circumstances, at ruinous sacrifice, and with signal loyalty. Forced to an issue of bonds to meet such a drain upon finances already almost overwhelmed with debt, they could only be sold at a great discount, whilst their availability for tax purposes made them in the past, and still continues to make them, a great embarrassment in the way of collecting any revenue. This almost paralyzes the industrial recuperation of the State, has made necessary a sale unreservedly of its great unfinished works of internal improvement, and necessitated the imposing of such increased taxes on a community torn by the ravages of invasion as its people are little able to bear.

Under such conditions it is believed that the reimbursement of these advances

cannot with any justice be longer postponed, as they are part and parcel of those immediate war liabilities in the pay, equipment, and provisioning of troops which the policy of the government has already established as having the first claim upon the treasury of the United States.

All of which is respectfully submitted.

A.

AUDITOR'S OFFICE, STATE OF MISSOURI,
City of Jefferson, December 4, 1865.

SIR: Your communication of the 2d instant, in these words, "In order to enable me to present fully the claim of the State for reimbursement for amount expended in defence of the government of the United States, and in repelling invasion of the State by enemies of the United States, I have to request that you will furnish me a statement of the amount of defence warrants and Union military bonds issued under each ordinance and act, and the total amount paid in all kinds of money for said purposes," has been received, and I take pleasure in replying as follows:

1. The first amount of public money appropriated, and used for the purpose mentioned, was one million of dollars, in the shape of small bonds, bearing no interest, and denominated "defence warrants." Ordinance to provide for the defence of the State, adopted by the convention October 18, 1861.

Subsequently, in the fall of 1863, another issue of such "defence warrants," to the amount of nearly half a million, was made for the purpose of paying the enrolled Missouri militia called out by order of General Schofield, commanding the department.

These defence warrants were paid to the soldiers for service actually done, and for subsistence bought by the quartermaster's department, there being no separate subsistence department in the Missouri militia

The vouchers upon which payments were made have been in all instances conforming to the United States army regulations, and have been passed upon and approved by a commission. For this I beg to refer to the reports of the several heads of the quartermaster's department and paymaster's department.

Correct and approved vouchers for amounts of defence warrants paid out have been filed in my office as follows:

By Melville Sawyer, paymaster	$371,550 30
Silas Woodson, paymaster	320,010 00
C. B. Burnham, quartermaster general	116,141 12
C. W. Marsh, paymaster	12,009 89
E. A. More, quartermaster general	464,428 93
S. D. Mitchell, paymaster	57,819 28
H. Dietz, paymaster	6,171 91
Charles A. Buck, paymaster	49,719 51
G. W. Hood, paymaster	18,949 72
W. F. Goodin, paymaster	18,776 88
Total amount accounted for	1,435,577 54
Amount for which vouchers are preparing	40,997 46
Total issue	1,476,575 00

2. In order to arm the enrolled Missouri militia called out by General Schofield in July, 1862, Governor H. R. Gamble loaned from several banks in the

city of St. Louis one hundred and fifty thousand dollars, which loan, bearing interest at six per cent. per annum, is now in process of being settled and paid.

3. For the purpose of paying the enrolled Missouri militia for actual service done, the general assembly authorized the issue of three million dollars in small State bonds, bearing six per cent. interest, and denominated "Union military bonds." Act to provide the means for the payment and support of the enrolled militia forces of the State of Missouri, approved March 9, 1863.

Correct and approved vouchers, in accordance with the United States army regulations, have been filed in my office for amounts of Union military bonds paid out for the above purposes, as follows:

By S. D. Mitchell, paymaster	$350,670 67
Thomas Pryce, paymaster	125,815 94
W. J. Dougherty, paymaster	233,164 39
D. C. Tuttle, paymaster	68,790 31
M. H. Ritchie, paymaster	512,150 19
James Vaughn, paymaster	48,766 55
W. F. Goodin, paymaster	54,709 08
H. F. Dietz, paymaster	231,240 10
B. R. Sappington, paymaster	220,568 66
G. W. Hood, paymaster	520,498 56
C. H. Withington, paymaster	163,371 21
A. P. Richardson, paymaster	361,057 27
M. Sawyer, paymaster	100,007 49
Total amount accounted for	2 990,810 42
Amount for which vouchers are preparing	9,189 58
Total issue	3,000,000 00

IV. There being still a large amount of claims unpaid for service done by the enrolled Missouri militia, the legislature, by the "Act for the payment of arrears due the enrolled militia for services actually rendered to the State," approved February 20, 1865, authorized an additional issue of two millions of dollars in "Union military bonds." Of this issue, the amount of one million nine hundred and ninety-two thousand dollars have been issued to the several paymasters, for which they have proper vouchers, now being examined and consolidated into abstracts.

I, Alonzo Thompson, State auditor of the State of Missouri, do hereby certify that the within and foregoing is a true and correct statement of facts and figures, as the same appear on my books and vouchers.

In witness whereof, I have hereunto set my hand and seal of office, at the city of Jefferson, this 5th day of December, A. D. 1865.

[L. S.]

A. THOMPSON, *State Auditor.*

His Excellency THOS. C. FLETCHER, *Governor.*

B.

Exhibit showing the amount of funds disbursed in payment of the enrolled Missouri militia, as shown by the records and vouchers upon file in the office of the paymaster general of Missouri, giving the number or designation of organization, number of companies, period of actual service, amount paid in Union military bonds, issues of 1863 *and* 1865, *and in defence warrants, issue of* 1864.

Regiment or other organization.	Number of companies.	Period of service.	Amount paid in Union military bonds, issue of 1863, and defence warrants, to December 31, 1864.	Amount paid in Union military bonds, issue of 1865, to November 30, 1865.	Total amount paid in Union military bonds to enrolled Missouri militia.
First regiment	8	From Aug., 1862, to Nov., 1864..	$6,328 27	$4,452 74	$10,781 01
Second regiment	8	.....do.....do.....	387 35	1,008 91	1,396 26
Third regiment	9	From Sep., 1864, to Nov., 1864..	238 50	1,863 45	2,101 95
Fourth regiment	10	From Apr., 1863, to June, 1864..	19,652 28	1,671 34	21,323 62
Fifth regiment	9	.....do.....do.....	6,471 12	715 72	7,186 84
Sixth regiment	10	From June, 1863, to July, 1863..	7,468 24	12 00	7,480 24
Seventh regiment	9	From Apr., 1863, to June, 1864..	11,585 69	5,819 09	17,404 78
Eighth regiment	7	From July, 1864, to Aug., 1864..	238 50	6,730 69	6,969 19
Ninth regiment			237 00		237 00
Tenth regiment	10	From June, 1863, to Oct., 1864..	8,074 36	5,443 84	13,518 20
Eleventh regiment	10	From Apr., 1863, to Oct., 1864..	16,848 58	8,590 53	25,439 11
Twelfth regiment	10	From Apr., 1863, to May, 1863..	7,422 61		7,422 61
Thirtecnth regiment	10	From Sep., 1864, to Oct., 1864..	288 34	1,201 28	1,489 62
Fifteenth regiment			237 00		237 00
Twenty-second regiment			110 14		110 14
Twenty-third regiment			99 10		99 10
Twenty-fifth regiment	10	From Aug., 1862, to Apr., 1863..	120,033 00	3,148 62	123,181 62
Twenty-sixth regiment	10	From Aug., 1862, to Nov., 1864..	130,850 34	16,076 74	146,927 08
Twenty-seventh regiment	11	From Aug., 1862, to Dec., 1864..	1,893 57	26,423 32	28,316 89
Twenty-eighth regiment	12	.....do.....do.....	22,121 78	2,352 70	24,474 48
Twenty-ninth regiment	10	From Aug., 1862, to Nov., 1864..	20,686 13	21,627 32	42,313 45
Thirtieth regiment	8	From July, 1862, to Nov., 1864..	43,481 71	1,163 97	44,645 68
Thirty-first regiment	11	From Aug., 1862, to Dec., 1864..	14,784 25	34,034 35	48,818 60
Thirty-second regiment	9	From Aug., 1862, to May, 1863..	17,919 44	930 44	18,849 88
Thirty-third regiment	10	From Aug., 1862, to Dec., 1864..	38,343 60	17,006 83	55,350 43
Thirty-fourth regiment	11	From Aug., 1862, to Nov., 1864..	10,991 00	4,662 95	15,653 95
Thirty-fifth regiment	10	.....do.....do.....	38,607 32	19,354 90	57,962 22
Thirty-sixth regiment	10	From Aug., 1862, to Mar., 1865..	42,714 18	5,006 54	47,720 72
Thirty-seventh regiment	9	From Aug., 1862, to Nov., 1864..	24,948 11	16,026 50	40,974 61
Thirty-eighth regiment	4	From Aug., 1862, to Mar., 1865..		66,615 35	66,615 35
Thirty-ninth regiment	8	From Aug., 1862, to July, 1863..	47,899 21	6,466 98	54,366 19
Fortieth regiment	12	From July, 1862, to Oct., 1864..	86,470 47	11,902 82	98,373 29
Forty-first regiment	9	From July, 1862, to Apr., 1863..	31,930 02	4,508 97	36,438 99
Forty-second regiment	10	From July, 1862, to Nov., 1864..	71,116 50	18,322 94	89,439 44
Forty-third regiment	12	.....do.....do.....	84,199 86	12,896 38	97,096 24
Forty-fourth regiment	10	From Aug., 1862, to Nov., 1864..	8,315 84	855 02	9,170 86
Forty-fifth regiment	12	.....do.....do.....	16,117 43	558 26	16,675 69
Forty-sixth regiment	10	From Aug., 1862, to Dec., 1864..	58,567 77	35,742 65	94,310 42
Forty-seventh regiment	10	From July, 1862, to Oct., 1863..	54,884 48	3,149 87	58,034 35
Forty-eighth regiment	10	From July, 1862, to Apr., 1863..	79,625 62	2,743 22	82,368 84
Forty-ninth regiment	10	From July, 1862, to Dec., 1864..	37,560 40	8,171 38	45,731 78
Fiftieth regiment	12	From July, 1862, to Nov., 1864..	36,100 05	26,172 91	62,272 96
Fifty-first regiment	10	From July, 1862, to Dec., 1864..	55,863 77	24,152 64	80,016 41
Fifty-second regiment	10	From July, 1862, to May, 1863..	54,707 99	5,906 17	60,614 16
Fifty-third regiment	9	From July, 1862, to Dec., 1864..	44,945 25	12,318 84	57,264 09
Fifty-fourth regiment	12	From Apr., 1863, to Nov., 1864..	9,394 52	9,166 52	18,561 04
Fifty-fifth regiment	3	From Aug., 1862, to Sep., 1862..	1,470 64	30 24	1,500 88
Fifty-sixth regiment	9	From July, 1862, to Dec., 1864..	25,716 80	25,108 22	50,825 02
Fifty-seventh regiment	11	From Aug., 1862, to Dec., 1864..	6,101 68	13,955 60	20,057 28
Fifty-eighth regiment	3	From Aug., 1862, to Aug., 1864..		994 34	994 34
Fifty-ninth regiment	3	From Aug., 1862, to Dec., 1864..	1,346 00	4,037 24	5,383 24
Sixtieth regiment	12	From July, 1862, to Dec., 1864..	133,315 01	50,147 37	183,462 38
Sixty-first regiment	8	From Oct., 1862, to Sep., 1864..	34,367 36	2,494 57	36,861 93
Sixty-second regiment	12	From July, 1862, to Dec., 1864..	32,956 56	22,615 48	55,572 04
Sixty-third regiment	7	From Aug., 1862, to May, 1863..	377 49	6,436 45	6,803 94
Sixty-fourth regiment	12	From Apr., 1863, to Nov., 1864..	7,581 03	12,469 97	20,051 00
Sixty-fifth regiment	10	From July, 1862, to Oct., 1864..	59,726 15	5,637 05	65,363 20
Sixty-sixth regiment	10	From Aug., 1862, to Dec., 1864..	26,287 54	5,624 19	31,911 73

B.—*Exhibit showing the amount of funds disbursed in payment of the enrolled Missouri militia, &c.*—Continued.

Regiment or other organization.	Number of companies.	Period of service.	Amount paid in Union military bonds, issue of 1863, and defence warrants, to December 31, 1864.	Amount paid in Union military bonds, issue of 1865, to November 30, 1865.	Total amount paid in Union military bonds to enrolled Missouri militia.
Sixty-seventh regiment	8	From Aug., 1862, to Dec., 1863	$40,279 68	$20,935 73	$61,215 41
Sixty-eighth regiment	9	From June, 1862, to Sep., 1864	31,428 50	2,578 61	34,007 11
Sixty-ninth regiment	13	From July, 1862, to Mar., 1865	41,998 86	42,623 84	84,622 70
Seventieth regiment	10	....do....do	19,495 62	8,175 10	27,670 72
Seventy-first regiment	9	From Aug., 1862, to Dec., 1864	60,754 74	6,688 56	66,843 30
Seventy-second regiment	11	From July, 1862, to Nov., 1864	87,243 40	3,549 41	90,792 81
Seventy-third regiment	12	From July, 1862, to Dec., 1864	63,219 24	13,738 93	76,958 17
Seventy-fourth regiment	10	From July, 1862, to Nov., 1863	125,139 67	3,873 37	129,013 54
Seventy-fifth regiment	7	From Sep., 1862, to Oct., 1864	10,514 45	554 66	11,069 11
Seventy-sixth regiment	11	From July, 1862, to Mar., 1865	78,638 51	18,179 20	96,817 71
Seventy-seventh regiment	9	From Oct., 1862, to Dec., 1864	19,327 81	49,174 08	68,501 89
Seventy-eighth regiment	2	From Sep., 1864, to Dec., 1864	.....	7,710 86	7,710 86
Seventy-ninth regiment	.....	.....	.....	.....	.....
Eightieth regiment	5	From Sep., 1863, to Nov., 1864	5,921 56	2,416 91	8,338 47
Eighty-first regiment	.....	.....	.....	.....	.....
Eighty-second regiment	.....	.....	.....	.....	.....
Eighty-third regiment	.....	.....	.....	.....	.....
Eighty-fourth regiment	.....	.....	.....	.....	.....
Eighty-fifth regiment	1	From Sep., 1864, to Nov., 1864	.....	4,299 01	4,299 01
Eighty-sixth regiment	.....	.....	.....	.....	.....
Eighty-seventh regiment	9	From Apr., 1864, to Dec., 1864	.....	26,469 27	26,469 27
Eighty-eighth regiment	.....	From Apr., 1864, to Oct., 1864	.....	13 75	13 75
Eighty-ninth regiment	4	From May, 1864, to Dec., 1864	.....	11,090 34	11,090 34
Buchanan and DeKalb battal's	.....	.....	.....	12,832 29	12,832 29
Pike county battalion	7	From July, 1862, to Dec., 1864	17,072 82	2,187 12	19,259 94
Howard county battalion	3	From Oct., 1862, to Apr., 1863	7,485 44	717 10	8,202 54
Calloway county battalion	2	From Dec., 1862, to Apr., 1863	7,283 20	1,996 71	9,279 91
St. Louis city post band	1	From Sep., 1863, to Oct., 1863	4,242 51	7,577 42	11,819 93
St. Louis mounted city guard	1	From Apr., 1863, to May, 1863	1,500 10	21 00	1,521 10
Jefferson county battalion	1	From Apr., 1862, to Sep., 1862	1,759 29	118 41	1,877 70
Warren county company	.....	.....	.....	.....	.....
Maries county battalion	1	From July, 1862, to Nov., 1862	4,705 68	5,714 12	10,419 80
Johnson county company	.....	.....	653 40	.....	653 40
Lieut. Axline's ind. company	.....	.....	.....	.....	.....
Commissaries of exemption	.....	From May 1, '63, to June 1, '64	43,374 68	8,939 09	52,313 77
General and general staff officers and detached service	.....	From July 8, '62, to Mar. 12, '65	57,734 00	20,901 62	78,635 62
Clerks in pay department, &c	.....	.....	27,388 92	5,747 08	33,136 00
First provisional	12	From Mar., 1863, to Feb., 1864	101,271 10	26,903 80	128,174 90
Second provisional	14	From Mar., 1863, to Dec., 1864	61,502 17	78,269 63	139,771 80
Third provisional	11	From Apr., 1863, to Oct., 1864	21,512 30	61,704 51	83,216 81
Fourth provisional	12	From Apr., 1863, to Mar., 1865	38,677 53	144,246 75	182,924 28
Fifth provisional	12	From May, 1863, to Dec., 1863	80,526 90	20,337 36	100,864 26
Sixth provisional	11	From Apr., 1863, to Aug., 1864	61,780 36	25,610 42	87,390 78
Seventh provisional	13	....do....do	79,895 47	24,820 51	104,715 98
Eighth provisional	11	From May, 1863, to Nov., 1863	76,137 51	5,623 10	81,760 61
Ninth provisional	10	From Apr., 1864, to Dec., 1864	66,281 61	4,456 24	70,737 85
Tenth provisional	5	From Sep. 9, '63, to Sep. 19, '63	.....	636 87	636 87
Platte county*	1	From July, 1864, to Dec., 1864	.....	4,336 60	4,336 60
Gentry county*	1	....do....do	.....	2,975 12	2,975 12
Clay county*	1	From July, 1864, to Mar. 12, '65	.....	10,912 28	10,912 28
Adair county*	1	From July, 1864, to Dec., 1864	.....	7,143 92	7,143 92
First battalion, Miller, Camden, and Hickory counties*	4	From July, 1864, to Mar. 12, '65	.....	32,205 91	32,205 91
Capt. Babcock's Miller county company*	1	From July, 1864, to Dec. 31, '64	.....	5,178 00	5,178 00
Laclede county*	1	....do....do	.....	.....	.....
Linn county*	1	....do....do	.....	11,048 05	11,048 05
Maries county*	1	From July, 1864, to Mar. 12, '65	.....	7,243 20	7,243 20
Caldwell county*	1	....do....do	.....	.....	.....
Cooper county*	1	....do....do	.....	10,268 96	10,268 96
Schuyler county*	1	....do....do	.....	.....	.....
Montgomery county*	1	....do....do	.....	4,489 31	4,489 31
Monroe county*	1	....do....do	.....	.....	.....
Morgan county	1	....do....do	.....	8,161 17	8,161 17
Carroll county*	1	....do....do	.....	4,300 22	4,300 22

* Enrolled Missouri militia, called out under General Orders No. 107, department of the Missouri.

B.—*Exhibit showing the amount of funds disbursed in payment of the enrolled Missouri militia, &c.*—Continued.

Regiment or other organization.	Number of companies.	Period of service.	Amount paid in Union military bonds, issue of 1863, and defence warrants, to December 31, 1864.	Amount paid in Union military bonds, issue of 1865, to November 30, 1865.	Total amount paid in Union military bonds to enrolled Missouri militia.
Ray county*	1	From July, 1864, to Mar. 12, '65	.....	$6,629 21	$6,629 21
Crawford county*	1	....do....do	.....	12,678 68	12,678 68
Holt county*	1	....do....do	.....	.....	.....
Shelby county*	1	....do....do	.....	3,959 04	3,959 04
Hastings ind. artil'y company*	1	From July, 1864, to Dec. 31, '64	.....	454 22	454 22
Mississippi county regiment	8	From Sep., 1864, to Nov., 1864	.....	18,668 59	18,668 59
Robinson's ind. Cass co. comp'y	1	From Sep. 18, '62, to Mar. 12, '65	.....	24,123 87	24,123 87
Cape Geradeau co. company	1	From July, 1864, to Dec. 31, '64	.....	16,164 12	16,164 12
Stoddard county company	1	From June, 1864, to Dec. 31, '64	.....	11,111 40	11,111 40
Bollinger county company	1	....do....do	.....	16,167 18	16,167 18
First battalion cavalry	2	From Sep., 1864, to Dec. 31, '64	.....	.....	.....
St. Louis county	.....	.....	.....	4,704 62	4,704 62
Beatty's independent company	1	From July, 1864, to Dec. 31, '64	.....	.....	.....
Carroll county	1	....do....do	.....	.....	.....
Yunger's Clay	1	From Mar., 1864, to Mar. 12, '65	.....	.....	.....
Co. independent company	1	.....	.....	12,271 95	12,271 95
Provost marshals	1	.....	.....	2,300 20	2,300 20
			3,064,834 74	1,522,825 01	4,587,659 75

* Enrolled Missouri militia, called out under General Orders No. 107, department of the Missouri.

PAYMASTER GENERAL'S OFFICE,
Jefferson City, Mo., December 5, 1865.

STATE OF MISSOURI, *County of Cole, ss:*

Personally appeared before me, Geo. J. W. Nexsen, a notary public in and for the county and State aforesaid, William J. Dougherty, paymaster general of Missouri, to me personally known, who, being sworn, deposes and says, that, to the best of his knowledge and belief, the above is a true and correct statement of funds disbursed to the enrolled Missouri militia, as appears from evidence on file in his department to November 30, 1865.

W. J. DOUGHERTY,
Acting Paymaster General of Missouri.

Sworn to and subscribed before me this 3d day of December, A. D. 1865, at Jefferson City, Missouri.

[SEAL.] GEO. J. W. NEXSEN, *Notary Public.*

C.

ABSTRACT A.—*Disbursements by Colonel C. B. Burnham, in defence warrants.*

Quartermaster stores	$29,946 22
Transportation and services	33,784 69
Subsistence	36,251 88
Clothing, camp and garrison equipage	334 43
Medical	3,134 25
Rent	3,298 93
Mileage	158 90
Commutation of quarters and forage	1,105 32
Irregular claims	8,126 15
Total amount	116,140 77

Irregular claims allowed by commission.

ABSTRACT B.—*Disbursements by Colonel E. Anson More, in defence warrants.*

Quartermaster stores	$51,931 78
Clothing, camp and garrison equipage	258,036 67
Subsistence	41,187 72
Services	56,900 49
Ordnance	88,421 59
Rent	8,270 77
Postage	147 66
Medical	4,218 26
Mileage	1,005 15
Commutation of quarters and forage	6,507 16
Court-martial	553 83
Total amount	457,181 44

ABSTRACT C.—*Disbursements by Colonel E. Anson More, in treasury notes.*

Quartermaster stores	$26,441 97
Clothing, camp and garrison equipage	34,506 99
Subsistence	12,297 35
Services	40,448 02
Ordnance	1,374 53
Postage	1,342 96
Medical	14,094 92
Mileage	467 99
Court-martial	572 25
Rents	7,744 14
Total amount	139,291 12

ABSTRACT D.—*Disbursements by Colonel Theodore S. Case, quartermaster general, in treasury notes and Union military bonds.*

Quartermaster stores	$16,054 94
Subsistence	8,919 94
Services	51,057 79
Clothing, camp and garrison equipage	140 30
Ordnance	1,447 46
Rent	11,961 18
Medical	4,520 39
Mileage	573 82
Court-martial	141 32
Postage	1,929 41
Commutation of quarters and forage	9,856 85
Total amount	106,603 40

ABSTRACT E.—*Abstract of disbursements by Quartermasters of enrolled Missouri militia, in treasury notes.*

Quartermaster stores	$7,879 96
Clothing, camp and garrison equipage	5 45
Subsistence	900 95
Services	12,980 78
Rent	2,114 32
Postage	588 55
Total amount	24,470 01

ABSTRACT F.—*Consolidated abstract of disbursements from February 17, 1862, to October 31, 1865, inclusive.*

	Quartermaster stores.	Subsistence.	Services.	Clothing, camp and garrison equipage.	Ordnance.	Rent.	Medical.
Abstract A.—Disbursements by Colonel C. B. Burnham, in defence warrants	$29,946 22	$36,251 88	$33,784 69	$334 43	.....	$3,298 93	$3,134 25
Abstract B.—Disbursements by Colonel E. A. More, in defence warrants	51,931 78	41,187 72	56,900 49	258,036 67	$28,421 59	8,270 77	4,218 66
Abstract C.—Disbursements by Colonel E. A. More, in treasury notes	26,441 97	12,297 35	40,448 02	34,506 99	1,374 53	7,744 14	14,094 92
Abstract D.—Disbursements by Colonel Theo. S. Case, quartermaster general, in treasury notes and military bonds	16,054 94	8,919 94	51,057 79	140 30	1,447 46	11,961 18	4,520 39
Abstract E.—Disbursements by quartermasters of enrolled militia, in treasury notes	7,879 96	900 95	12,980 78	5 45	.....	2,114 32	.....
	132,254 87	99,557 84	195,171 77	293,023 84	31,243 58	33,389 34	25,968 22

	Mileage.	Court-martial.	Postage.	Commut'n, quarters and fuel.	Irregular claims.	Amount.	Total amount.
Abstract A.—Disbursements by Colonel C. B. Burnham, in defence warrants	$158 90	.....	.....	$1,105 32	$8,126 15	$116,140 77	
Abstract B.—Disbursements by Colonel E. A. More, in defence warrants	1,005 12	$553 83	$147 65	6,507 16	.....	457,181 44	
							$573,322 21
Abstract C.—Disbursements by Colonel E. A. More, in treasury notes	467 99	572 25	1,342 96	.....	.....	139,291 12	
Abstract D.—Disbursements by Colonel Theo. S. Case, quartermaster general, in treasury notes and military bonds	573 82	141 32	1,929 41	9,856 85	.....	106,603 40	
Abstract E.—Disbursements by quartermasters of enrolled militia, in treasury notes	.....	.....	588 55	.....	.....	24,470 01	
							270,364 53
	2,205 83	1,267 40	4,008 57	17,469 33	8,126 15	.....	843,686 74

HEADQUARTERS STATE OF MISSOURI, *Quartermaster General's Office, November* 1, 1865.

I certify, upon honor, that the foregoing abstract is a true and correct exhibit from the records of this office, showing the amount of all moneys expended by this department since February 17, 1862.

THEO. S. CASE, *Colonel and Quartermaster General of Missouri.*

D.

Report of the paymaster general of Missouri, relative to disbursements of his department, &c.

HEADQUARTERS STATE OF MISSOURI,
PAYMASTER GENERAL'S OFFICE,
Jefferson City, Missouri, November 30, 1865.

SIR: I have the honor to herewith transmit a statement of the amount disbursed by this department in Union military bonds, of the issue of 1865, in paying the enrolled Missouri militia from the 15th May, 1865, to the 25th of November instant, for services rendered to March 12, 1865. Said statement also contains an estimate of the amount still remaining unpaid, based upon the report made December 31, 1864, by Colonel M. Sawyer, then deputy paymaster general of Missouri, and rolls for service filed since the date of said report.

Your excellency will perceive from the statement that the amount unpaid to December 31, 1864, was $997,002 75
To which is added estimated amount of rolls filed since that date 1,552,639 23

Which gives a total for actual services rendered, of 2,549,641 98
Of which amount there has been paid to this date the sum of.. 1,522,825 01

Which leaves a balance unpaid of 1,026,816 97

Out of $1,992,000 Union military bonds received by the different paymasters of Missouri militia to this date from the State auditor, there remains at this date in their hands the sum of $384,174 99; of the amount received from the State auditor, the sum of $85,000 has been turned over to Colonel Theo. S. Case, quartermaster general of Missouri, upon his requisition, for the use of his department, to pay irregular claims, many of which were for forage and supplies furnished by loyal citizens, who would suffer without their pay; which sum is to be returned to this department when an appropriation is made for the quartermaster general's department, as per his receipt, here inserted, to wit:

HEADQUARTERS STATE OF MISSOURI,
OFFICE OF QUARTERMASTER GENERAL,
St. Louis, Missouri, October 27, 1865.

Received of Colonel W. J Dougherty, paymaster general of Missouri, the following named sums in Union military bonds of 1865, which are to be refunded to the pay department out of the first appropriation for the quartermaster's department, viz:

June 10, 1865	$35,000
August 28, 1865	25,000
October 1, 1865	5,000
October 16, 1865	5,000
October 27, 1865	15,000
Being	85,000

THEO. S. CASE,
Colonel and Quartermaster General of Missouri.

Which sum, when returned, will then increase the amount on hand to $469,174 99; and a balance of $8,000 remaining in the hands of the State

auditor, will make the sum total on hand $477,174 99, to be expended in partially liquidating the balance remaining due. Therefore, to fully meet the balance due, as per my report, a further appropriation of $549,641 98 will be necessary.

The estimate of amount due has been carefully made, and I am satisfied is not excessive. There are also some few companies whose rolls have been returned for correction; having no ground for making even an approximation of the amount due, I have not included them in the estimate.

In regard to the Missouri militia organized under General Order No. 3, current series, headquarters State of Missouri, and called for by Major General Dodge, commanding department of the Missouri, to supply the want of United States troops, I will state, that with the assistance of the Adjutant General's department, I have made an estimate from the muster-in rolls of said companies, and find that it will take about $450,000; this includes service rendered by general and general staff officers of the Missouri militia. Therefore, to meet the entire liability of the State for services rendered by the enrolled Missouri militia and the Missouri militia, an appropriation of about $1,000,000 will be necessary.

The amount of labor devolved upon my department has been very large, and the pressing necessities of the men who served in the militia have been so great, that I have worked unusual hours, and used every means possible to pay them. In many instances, in fact, in a majority of instances, all the names included in any one roll were not paid off at the expiration of any one quarter; and to facilitate the payment of them, and to save expense to the soldiers, I was compelled to send assistants to the vicinity of their residences, and to send the rolls with them. For these reasons, I was not able to make up quarterly settlements demanded of me by the State auditor in the following communication:

AUDITOR'S OFFICE, STATE OF MISSOURI,
City of Jefferson, July 14, 1865.

SIR: I have the honor to hereby make my demand that you now settle with me, "the auditor," for the quarter ending June 30, 1865, and file with me copies of the pay-rolls, with the proper receipts for your payments thereon, as directed by the act approved February 20, 1865.

Very respectfully, yours,

A. THOMPSON, *Auditor.*

Colonel W. J. DOUGHERTY,
Paymaster General.

I found it impracticable for the paymasters to make their settlements and continue paying, and deeming it more to the advantage of the State, as well as to the soldiers, that the payments should be pushed through, to the neglect of the quarterly settlements, I so ordered. It is not reasonable to suppose that a paymaster can pay up to the close of a quarter, and then make an abstract of several thousand vouchers, and have the same audited by this department, (which will require at least one-third as long a time as it took to pay them,) and then copy the same and have it consolidated and credited to his account in this office, (which is all necessary before he can make his settlement with the State auditor,) and continue his payments at the same time. All of the paymasters have now made their returns to September 30, 1865. Their accounts are being examined as rapidly as possible, and when completed the proper settlement will be made with the State auditor.

I have made payments to the enrolled Missouri militia up to March 12, 1865, when the said organization ceased to exist, in accordance with section 26, page 56, Laws 1865.

Viewing the appropriation bill for the payment of arrearages due the enrolled militia as I do, I could see no impropriety in ordering payments up to said date. My attention was called some time since to this point by the action of the State auditor in making stoppages for payments made after February 20, 1865, to March 12, 1865. I viewed the auditor's action in the premises as erroneous, and I had such payments continued by the paymasters.

The troops doing duty to March 12, 1865, were some of the provisional companies, few companies of the organization under General Order 19, issued by General Schofield, and the assistant quartermasters and the assistant adjutant generals of the different military districts of Missouri.

In regard to the payment of the Missouri militia, it will be seen by reference to the ordinance of the convention, adopted April 8, 1865, section 22, that payments to the Missouri militia "shall be in the same funds in which the United States volunteers are paid, or their equivalent." Therefore, that part of the appropriation for their payment should be in United States funds, or if made in Union military bonds, some method should be devised to effect the object of the law.

Should the general assembly make the requisite appropriation, in a short time payments will be completed, and the sooner such appropriation is made the better for the loyal men who have rendered service to the State and are impoverished by the rebellion.

On or about the 20th of May last, payments were commenced by this department, and from that date to the present there has not been an idle day in my office. About the middle of August I found it impossible to comply with the demands for pay without working day and night; the business hours of my office were therefore extended to 9 o'clock p. m.; a sufficient clerical force was employed to assist, and by the untiring energy displayed by every member of the department, the large sum as shown by my report was disbursed, and in a nearly equal ratio to each regiment. I feel under many obligations to the officers detailed to assist me as paymasters, as well as to the clerks of my department, for their prompt and efficient aid, and take this method of returning to them my sincere thanks.

I have the honor, governor, to be, very respectfully, your most obedient servant,

W. J. DOUGHERTY.
Acting Paymaster General of Missouri.

His Excellency THOS. C. FLETCHER,
Governor of Missouri.

Statement of disbursements made by the pay department of Missouri in Union military bonds, issue of 1865, *to the enrolled Missouri militia, from the date of last report, December* 31, 1864, *to November* 30, 1865, *and exhibit of amount of service rendered and balance due.*

Title of organization.	Balance due, as per report of December 31, 1864.	Amount of service rendered, as per rolls filed since December, 1864.	Total amount due to March 12, 1865.	Am't paid in Union military bonds of 1865 to November 25, 1865.	Balance remaining due.
First regiment	$672 26	$6,076 00	$6,748 26	$4,452 74	$2,295 52
Second regiment	603 13	1,230 50	1,833 63	1,008 91	824 72
Third regiment	.....	3,560 80	3,560 80	1,863 45	1,697 35
Fourth regiment	1,910 25	1,124 00	3,034 25	1,671 34	1,362 91
Fifth regiment	286 86	1,565 00	1,851 86	715 72	1,136 14
Sixth regiment	438 98	.....	438 98	12 00	426 98
Seventh regiment	2,403 38	5,560 00	7,963 38	5,819 09	2,144 29
Eighth regiment	.....	9,098 00	9,098 00	6,730 69	2,367 31
Ninth regiment	.....	.....	.....	.....	.....
Tenth regiment	886 20	6,599 00	7,485 20	5,443 84	2,041 36
Eleventh regiment	773 07	11,354 00	12,127 07	8,590 53	3,536 54
Twelfth regiment	359 39	.....	359 39	.....	359 39
Thirteenth regiment	.....	3,220 00	3,220 00	1,201 28	2,018 72
Twenty-fifth regiment	5,795 68	.....	5,795 68	3,148 62	2,647 06
Twenty-sixth regiment	21,906 93	2,590 00	24,496 93	16,076 74	8,420 19
Twenty-seventh regiment	21,443 49	10,420 00	31,863 49	26,423 32	5,440 17
Twenty-eighth regiment	4,388 85	23,010 00	27,398 85	2,352 70	25,046 15
Twenty-ninth regiment	3,335 64	24,723 00	28,058 64	21,627 32	6,431 32
Thirtieth regiment	2,161 85	2,790 00	4,951 85	1,163 97	3,787 88
Thirty-first regiment	7,634 23	40,765 00	48,399 23	31,034 35	14,364 88
Thirty-second regiment	3,530 53	.....	3,530 53	930 44	2,590 09
Thirty-third regiment	14,683 38	5,153 00	19,836 38	17,006 83	2,829 55
Thirty-fourth regiment	3,798 93	12,852 00	16,650 93	4,662 95	11,987 98
Thirty-fifth regiment	4,170 84	24,300 00	28,470 84	19,334 90	9,135 94
Thirty-sixth regiment	9,331 92	1,650 00	10,981 92	5,006 54	5,975 38
Thirty-seventh regiment	1,679 11	20,680 00	22,359 11	16,026 50	6,332 61
Thirty-eighth regiment	36,575 22	33,075 00	69,650 22	66,615 35	3,034 87
Thirty-ninth regiment	9,128 08	.....	9,128 08	6,466 98	2,661 10
Fortieth regiment	17,909 78	4,074 00	21,983 78	11,902 82	10,080 96
Forty-first regiment	8,698 80	.....	8,698 80	4,508 97	4,189 83
Forty-second regiment	15,164 78	17,955 00	33,119 78	18,322 94	14,796 84
Forty-third regiment	7,561 70	20,822 00	28,383 70	12,896 38	15,487 32
Forty-fourth regiment	5,021 78	10,421 00	15,442 78	855 02	14,587 76
Forty-fifth regiment	3,074 84	3,624 00	6,698 84	558 26	5,540 58
Forty-sixth regiment	4,832 37	41,325 00	54,157 37	35,742 65	18,414 72
Forty-seventh regiment	4,645 40	1,608 00	6,253 40	3,149 87	3,103 53
Forty-eighth regiment	6,034 23	.....	6,034 23	2,743 22	3,291 01
Forty-ninth regiment	2,032 72	12,683 00	14,715 72	8,171 38	6,544 34
Fiftieth regiment	5,948 34	28,256 00	34,204 34	26,172 91	8,031 43
Fifty-first regiment	2,434 28	38,144 00	40,578 28	24,152 64	16,425 64
Fifty-second regiment	3,603 36	4,320 00	7,923 36	5,906 17	2,017 19
Fifty-third regiment	4,701 99	12,240 00	16,941 99	12,318 84	4,623 15
Fifty-fourth regiment	5,335 51	10,850 00	16,185 51	9,166 52	7,018 99
Fifty-fifth regiment	2,601 41	.....	2,601 41	230 24	2,371 17
Fifty-sixth regiment	8,960 21	33,210 00	42,170 21	25,108 22	17,061 99
Fifty-seventh regiment	3,009 79	13,957 00	16,966 79	13,955 60	3,011 19
Fifty-eighth regiment	1,088 39	3,000 00	4,088 39	994 34	3,094 05
Fifty-ninth regiment	3,611 50	8,172 00	11,783 50	4,037 24	7,746 26
Sixtieth regiment	27,051 44	30,706 00	57,757 44	50,147 37	7,610 07
Sixty-first regiment	3,165 06	2,276 00	5,441 06	2,494 57	2,946 49
Sixty-second regiment	6,437 71	59,559 00	65,996 71	22,615 48	43,381 23
Sixty-third regiment	8,241 39	.....	8,241 39	6,436 45	1,804 94
Sixty-fourth regiment	1,605 52	16,120 00	17,725 52	12,469 97	5,255 55
Sixty-fifth regiment	7,061 99	3,034 00	10,095 99	5,637 05	4,458 94
Sixty-sixth regiment	10,679 20	30,978 00	41,657 20	5,624 19	36,033 01
Sixty-seventh regiment	4,334 69	23,784 00	28,118 69	20,935 73	7,182 96
Sixty-eighth regiment	4,796 97	1,978 00	6,774 97	2,578 61	4,196 36
Sixty-ninth regiment	9,248 39	48,230 00	57,478 39	42,623 84	14,854 55
Seventieth regiment	7,109 52	10,176 00	17,285 52	8,175 10	9,110 42
Seventy-first regiment	11,474 54	3,930 00	15,404 54	6,088 56	9,315 98
Seventy-second regiment	5,146 00	13,960 03	19,106 03	3,549 41	15,556 62
Seventy-third regiment	26,176 40	25,820 00	51,996 40	13,738 93	38,257 47
Seventy-fourth regiment	11,336 65	.....	11,336 65	3,873 37	7,463 28
Seventy-fifth regiment	1,415 11	.....	1,415 11	554 66	860 45
Seventy-sixth regiment	16,118 65	24,450 00	40,568 65	18,179 20	22,389 45
Seventy-seventh regiment	23,053 68	36,045 00	59,098 68	49,174 08	9,924 60
Seventy-eighth regiment	.....	10,574 00	10,574 00	7,710 86	2,863 14
Seventy-ninth regiment	.....	.....	.....	.....	.....
Eightieth regiment	2,753 71	4,222 00	6,975 71	2,416 91	4,558 80

Statement of disbursements, &c.—Continued.

Title of organization.	Balance due, as per report of December 31, 1864.	Amount of service rendered, as per rolls filed since December, 1864.	Total amount due to March 12, 1865.	Am't paid in Union military bonds of 1865 to November 25, 1865.	Balance remaining due.
Eighty-first regiment	$3,706 52	$39,200 00	$42,906 52	.....	$42,906 52
Eighty-second regiment	9,457 50	30,574 00	40,031 50	.....	40,031 50
Eighty-third regiment	.....	.....	.....	.....	.....
Eighty-fourth regiment	.....	.....	.....	.....	.....
Eighty-fifth regiment	.....	8,350 00	8,350 00	$4,299 01	4,050 99
Eighty-sixth regiment	.....	.....	.....	.....	.....
Eighty-seventh regiment	.....	31,098 00	31,098 00	26,469 27	4,628 73
Eighty-eighth regiment	.....	836 00	836 00	13 75	822 25
Eighty-ninth regiment	.....	22,900 00	22,900 00	11,090 34	11,809 66
Buchanan and DeKalb battalions	3,111 83	11,500 00	14,611 83	12,822 29	1,789 54
Pike county battalion	1,286 96	4,063 00	5,349 96	2,187 12	3,162 84
Howard county battalion	1,291 35	.....	1,291 35	717 10	574 25
Callaway county battalion	2,067 63	.....	2,067 63	1,996 71	70 92
St. Louis city post band	7,988 54	.....	7,988 54	7,577 42	411 12
St. Louis mounted city guard	112 00	.....	112 00	21 00	91 00
Jefferson county battalion	38 00	386 00	424 00	118 41	305 59
Warren county company	255 50	.....	255 50	.....	255 50
Maries county battalion	5,620 03	2,096 00	7,716 03	5,714 12	2,001 91
Johnson county company, (Lieutenant Axline's independent company)	2,277 97	.....	2,277 97	.....	2,277 97
Commissaries of exemption	.....	39,000 00	39,000 00	8,939 09	30,060 91
General and general staff officers and detached service	.....	20,901 62	20,901 62	20,901 62	.....
Clerks in pay department	.....	5,747 08	5,747 08	5,747 08	.....
Provisional regiments, first	32,037 55	1,420 00	33,457 55	26,903 80	6,553 75
second	101,878 57	1,890 00	103,768 57	78,269 63	25,498 94
third	83,533 20	4,800 00	88,333 20	61,704 51	26,628 69
fourth	141,574 52	48,586 00	190,160 52	144,246 75	45,913 77
fifth	47,236 77	.....	47,236 77	20,337 36	26,899 41
sixth	44,421 04	15,112 00	59,533 04	25,610 42	33,922 62
seventh	27,415 12	13,800 00	41,215 12	24,820 51	16,394 61
eighth	14,120 85	8,290 00	22,410 85	5,623 10	16,787 75
ninth	4,751 75	4,685 00	9,436 75	4,456 24	4,980 51
tenth	1,513 55	.....	1,513 55	636 87	876 68
Enrolled Missouri militia, called out under G. O. 107, department of Missouri.					
Platte county	.....	6,005 00	6,005 00	4,336 60	1,668 40
Gentry county	.....	4,672 00	4,672 00	2,975 12	1,696 88
Clay county	.....	17,580 00	17,580 00	10,912 28	6,667 72
Adair county	.....	8,676 00	8,676 00	7,143 92	1,532 08
First battalion, (four companies,) Miller, Camden, and Hickory counties	.....	37,862 00	37,862 00	32,205 91	5,656 09
Captain Babcoke's Miller county company	.....	5,550 00	5,550 00	5,178 00	372 00
Laclede county	.....	6,124 00	6,124 00	.....	6,124 00
Linn county	.....	13,860 00	13,860 00	11,048 05	2,811 95
Maries county	.....	11,890 00	11,890 00	7,243 20	4,646 80
Caldwell county	.....	4,468 00	4,468 00	.....	4,468 00
Cooper county	.....	28,602 00	28,602 00	10,268 96	18,333 04
Schuyler county	.....	7,840 00	7,840 00	.....	7,840 00
Montgomery county	.....	6,178 00	6,178 00	4,489 31	1,688 69
Monroe county	.....	4,072 00	4,072 00	.....	4,072 00
Morgan county	.....	11,440 00	11,440 00	8,161 17	3,278 83
Carroll county	.....	6,647 00	6,647 00	4,300 22	2,346 78
Ray county	.....	10,980 00	10,980 00	6,629 21	4,350 79
Crawford county	.....	16,878 00	16,878 00	12,678 68	4,199 32
Holt county	.....	3,062 00	3,062 00	.....	3,062 00
Shelby county	.....	6,769 00	6,769 00	3,959 04	2,809 96
Hartwig's independent artillery company	.....	4,725 00	4,725 00	454 22	4,270 78
Mississippi county regiment	.....	26,068 00	26,068 00	18,668 59	7,399 41
Captain Robinson's independent Cass county company	.....	26,056 00	26,056 00	24,123 87	1,932 13
Six-months vols., enrolled Missouri militia.					
Cape Girardeau county company	.....	17,622 00	17,622 00	16,164 12	1,457 88
Stoddard county company	.....	17,920 00	17,920 00	11,111 49	6,808 60
Bollinger county company	.....	23,160 00	23,160 00	16,167 18	6,992 82
First battalion cavalry, St. Louis county	.....	7,850 00	7,850 00	4,704 62	3,145 38
Captain Beatty's independent company, Carroll county	.....	2,600 00	2,600 00	.....	2,600 00
Younger's Clay county company	.....	20,650 00	20,650 00	12,271 95	8,378 05
Provost marshals	.....	2,300 20	2,300 20	2,300 20	.....
Total	997,002 75	1,552,639 23	2,549,641 98	1,522,825 01	1,026,816 97

E.

Number of companies, average number of men to each company, and average term of service of the Missouri militia, called out under General Orders No. 3, current series, adjutant general's office, Missouri, and the extensions thereof.

Number of companies, 57; average number of men to each company, $76\frac{2}{57}$; total number of men, 4,353; average term of service, 3 months; limits of service, from February 25, 1865, to July 6, 1865.

These companies, with three exceptions, were mounted, the men furnishing their own horses, for which they were allowed fifty cents per day.

Official:

FRED. SCHUYLER,
Colonel and Acting Assistant Adjutant General.

HEADQUARTERS STATE OF MISSOURI,
Adjutant General's Office, Jefferson City, Mo., December 5, 1865.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 64.

FREEDMEN'S BUREAU BILL.

RESOLUTIONS

OF THE

LEGISLATURE OF WISCONSIN,

EXPRESSING

The approbation of Congress in passing the Freedmen's Bureau bill, and in excluding representation from the rebellious districts.

MARCH 12, 1866.—Referred to the Joint Select Committee on Reconstruction and ordered to be printed.

RESOLUTIONS expressing the approbation of the legislature, of Congress, in passing the Freedmen's Bureau bill, and in excluding representation from the rebellious districts.

Resolved by the senate, (the assembly concurring,) That while we remember with gratitude the noble and devoted patriotism manifested by President Johnson during the dark days of the rebellion, we should be guilty of deceiving him and misrepresenting our constituents if we failed at this time to declare that his message vetoing the Freedmen's Bureau bill, in its general tone and spirit, has caused pain and disappointment among his true friends and supporters in our State, and has been hailed with exuberant joy and exultation by every man who sympathized with the rebellion, or who was cold and indifferent when treason threatened the life of the republic.

Resolved, That we most cordially indorse and approve of the action of such of our senators and representatives in Congress as firmly and consistently supported the Freedmen's Bureau bill, and who have persistently asserted the right of Congress to determine for itself when and in what manner it will admit representatives from States where the State governments have been disorganized by rebellion; and we earnestly request them to firmly resist the admission of representatives to Congress from such disorganized States until peace is fully secured, and until the people of such States shall have positively guaranteed equal and exact justice to all men within their borders.

Resolved, That his excellency the governor is hereby respectfully requested to forward a copy of these resolutions to the presiding officer of each branch of Congress, to the President of the United States, and to each of the senators and representatives in Congress from this State.

HENRY D. BARRON,
Speaker of the Assembly.
WYMAN SPOONER,
President of the Senate.

Approved March 2, 1866.

LUCIUS FAIRCHILD, *Governor.*

STATE OF WISCONSIN, *Secretary's Office, ss :*

The secretary of state of the State of Wisconsin hereby certifies that the foregoing has been compared with the original resolutions deposited in this office, and that the same is a true and correct copy thereof, and of the whole of such original.

In witness whereof I have hereunto set my hand and affixed the great seal of the State, at the capitol in Madison, this eighth day of March, A. D. 1866.

[SEAL.] THOS. S. ALLEN, *Secretary of State.*

LANDS GRANTED TO IOWA.

RESOLUTION

OF

THE LEGISLATURE OF IOWA,

RELATIVE TO

Lands granted to the State of Iowa for railroad purposes.

MARCH 12, 1866.—Referred to the Committee on Public Lands and ordered to be printed.

JOINT RESOLUTIONS in relation to lands granted to the State of Iowa to aid in the construction of railroads.

Whereas, by an act of Congress approved on the 15th day of May, 1856, a portion of the public domain was granted to the State of Iowa to aid in the construction of certain lines of railroad, within the time therein limited, with a condition of forfeiture annexed; and

Whereas the railroad companies to which such lands were transferred have failed to complete their several lines as required, and a renewal of such grant is desirable upon such terms as will compel the speedy completion of the roads and secure the object of the grant, or work a forfeiture to, and place the lands under the control of, the State upon any failure by such companies to comply with such terms: Therefore,

Be it resolved by the general assembly of the State of Iowa, That our senators in Congress be instructed and our representatives be requested to use their best endeavors to prevent the passage of any act which shall withdraw from the control of the legislature of this State the lands granted to the State to aid in the construction of railroads, or that shall in any manner release the railroad companies from their responsibility to the State.

2. That they endeavor to secure an extension of the time for the completion of the several lines of railroads under such restrictions as will secure to the State the immediate control and right of disposition of the remaining lands, in the event of a failure on the part of either of the companies receiving the benefit of such grant to complete any section of its road within such time as may be prescribed by the legislature thereof.

3. That the secretary of state be instructed to transmit to each of our senators and representatives in Congress a copy of these resolutions duly certified.

ED. WRIGHT,
Speaker of the House of Representatives.
B. F. GUE,
President of the Senate.

Approved March 3, 1866.

W. M. STONE.

A true copy of the original resolution, now on file in my office.

JAMES WRIGHT, *Secretary of State.*

MARCH 8, 1866.

PROVISIONAL GOVERNMENT DEBT OF OREGON.

RESOLUTION

OF THE

STATE OF OREGON,

IN RELATION TO

The provisional government debt.

MARCH 16, 1866.—Referred to the Committee of Claims and ordered to be printed

JOINT RESOLUTION in relation to the provisional government debt.

Whereas, by virtue of the provisions of an act of the legislative assembly of the State of Oregon, entitled "An act to provide for auditing the civil debt of the provisional government," approved October 17, 1862, the secretary of state did, on the first day of September, 1864, make the following report:

To the honorable the legislative assembly of the State of Oregon:

The undersigned, appointed commissioner of the provisional government debt, by an act approved October 17, 1862, reports the following claims just and correct, and supported by legitimate vouchers, to which is added accruing interest thereon to August 31, 1864:

Claimants.	Principal.	Interest.	Total.
Nathan Olney	$50 00	$46 60	$96 60
John Hudson	34 00	28 50	62 50
George Abernethy	1,187 29	1,229 67	2,416 96
W. W. Buck	166 37	160 75	327 12
S. W. Moss	790 04	880 80	1,670 84
Total	2,227 70	2,346 32	4,574 02

Four thousand five hundred and seventy-four dollars and two cents.

SAMUEL E. MAY, *Commissioner.*

SALEM, OREGON, *September* 1, 1864.

And whereas such claims are just, and were incurred in the maintenance and support of the late provisional government of Oregon: Therefore,

Resolved by the senate, (the house concurring,) That our senators and representative in Congress be, and they are hereby, instructed to use their influence

to secure the assumption of and payment of said claims, principal and interest, respectively, by the Congress of the United States.

Resolved, That the secretary of state is hereby instructed to forward a certified copy of these resolutions, under seal of State, to each of our senators and to our representative in Congress.

Adopted December 12, 1865.

J. H. MITCHELL,
President of the Senate.
I. R. MOORES,
Speaker of the House of Representatives.

STATE OF OREGON, DEPARTMENT OF STATE,
Salem, December, A. D. 1865.

I hereby certify that the foregoing is a true copy of a joint resolution passed by the legislative assembly of the State of Oregon at the special session held December, A. D. 1865.

Given under my hand and the seal of the State of Oregon, this 30th day of December, A. D. 1865.

[L. S.]

SAMUEL E. MAY,
Secretary of State.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 67.

TAX ON CIGARS.

RESOLUTION

OF THE

LEGISLATURE OF WISCONSIN,

RECOMMENDING

A modification of the excise tax upon cigars.

MARCH 20, 1866.—Referred to the Committee of Ways and Means and ordered to be printed.

Whereas, by enactment of the Congress of the last session, the excise upon cigars is levied at the uniform rate of ten dollars per thousand; and

Whereas this rule compels Wisconsin seed-leaf, worth five cents, to pay a tax of 900 per cent.; Ohio sead-leaf, worth in the market ten cents per pound, to pay tax of 450 per cent. ad valorem, while Connecticut tobacco, the market price of which is twenty cents per pound, pays only 225 per cent., and imported Havana tobacco, rated at $1 50 per pound, pays only 33 per cent; and

Whereas this discrimination against the products of Wisconsin and other western States has cut off the demand for, and, if continued, is likely to put a stop to the growing of, tobacco mainly used by the class least able to pay, and touches but lightly the high-priced luxury of the richer class: Therefore,

Be it resolved by the assembly, (the senate concurring,) That the present rule of assessing the internal revenue on cigars is unequal, unjust, and oppressive to the agricultural interests of this State, and that our senators and representatives in Congress be, and hereby are, earnestly requested to use their influence to secure such a change in the law as shall levy the tax ad valorem, or such other modification as, in their judgment, will remove the objection herein urged against the present laws.

Resolved, That the governor be requested to forward a copy of the foregoing preamble and resolution to each of our representatives in Congress.

STATE OF WISCONSIN, *Executive Office, ss:*

The governor hereby certifies that the foregoing has been compared with the concurrent resolution, duly certified to this office by chief clerk of assembly, and that the same is a true and correct copy thereof.

In witness whereof, I have hereunto set my hand and caused the great seal of the State to be affixed, at the capitol, in Madison, this 15th day
[SEAL.] of March, A. D. 1866.

LUCIUS FAIRCHILD, *Governor.*

By the governor:

THOMAS S. ALLEN, *Secretary of State.*

CATTLE PLAGUE.

LETTER

FROM

THE SECRETARY OF STATE,

TO THE

Chairman of the Committee on Agriculture, transmitting correspondence upon the subject of the cattle plague.

MARCH 19, 1866.—Referred to the Committee on Agriculture and ordered to be printed.

DEPARTMENT OF STATE,
Washington, March 17, 1866.

SIR: I have the honor to enclose herewith for your information the copy of a communication which was addressed to this department on the 21st ultimo, by Mr. Etienne R. Veron, of Brussels, upon the subject of the cattle plague.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. JOHN BIDWELL,
Chairman of Committee on Agriculture.

[Translation.]

BRUSSELS, *February* 23, 1866.

MR. SECRETARY: The names of Presidents Johnson and Lincoln, with yours, will ever be so intimately connected with whatever relates to the great republic, that in wishing to render the smallest service to humanity, the stranger will be obliged to reply to those who have surmounted every obstacle, even at the peril of their own existence, in the most humane of causes. That is what encourages me, Mr. Secretary, in consideration of the contagious diseases of which Europe has been and is still the scene, to send you and the President my memorandum upon epidemics in general, and on epizoötia in particular.

With the hope that Providence may spare your noble people, who have already suffered so much, I beg you, Mr. Secretary, to accept with my humble offering the expression of the profound respect with which I have the honor to be your most humble and obedient servant,

ETIENNE R. VERON.

Hon. WILLIAM H. SEWARD,
Secretary of Foreign Affairs United States.

[Translation.]

THE ONLY WAY TO STOP THE CATTLE PLAGUE, WITH SOME IDEAS ON EPIDEMICS IN GENERAL, BY ETIENNE R. VERON, FARMER AT KRAJOWA, IN WALLACHIA, BRUSSELS, FEBRUARY 21, 1866.

The only way to suppress epizoötia, (the cattle plague,) with some ideas in general, submitted in the form of a memorandum, to Lord Granville, president of her Britannic Majesty's privy counsel, and sent by his lordship, on the 14th of February, 1866, to be examined by the royal committee of England.

The cattle plague, like every other epidemic, makes its first appearance in sporadic attacks. We do not know the cause of epidemics, nor the kind of places that favor them; but we do know they are propagated by contact with the countries where they prevail. At any rate, as soon as the disease breaks out in a certain place, it increases daily, and that is easily explained, for we know that the tainted bodies increase and extend the infection.

The contagion is communicated to healthy bodies through the same organs that disseminate it in bodies already attacked—that is, by breathing, smell, taste, and contact; it is retained for some time in the air, in objects that have been in contact, and in the excretion in the form of miasm, insects, ovules, or infecting atoms.

It follows from what I have said, that, even though the most efficacious remedy were discovered, contagious diseases could not be cured in the common way; for before the remedy begins to destroy the disease in the individual, the infected body at the same time gives out the infection, forming an external deposit beyond the reach of the remedy, but still in connexion with the body, which re-enters the more easily as the body is weak and predisposed to it.

In this way the disease is kept up externally, art is impotent, and the fatal work is finished, for it is impossible to extinguish a fire fed on all sides by inflammable material.

After suffering greatly from the terrible ravages of the cattle plague on my farms in the Wallachia, in 1848 and 1862, without being able to arrest it by any means in use at that time, in 1864, when the disease recommenced among my cattle, I discovered by the previous considerations that to suppress the plague it was necessary—

1st. To exhaust the sources of miasma in the diseased body.

2d. To restore at the same time a pure and salubrious atmosphere, to keep the sound cattle in, destroying the infection in it, and preventing contagion from being communicated by food, drink, or any other contact.

To effect the first, as I could find no remedy, I had all the sick cattle killed (even those in the first stage of disease—a state of languor) and buried deep under ground.

To effect the second, I resorted to petroleum. From its gaseous quality, it forms and preserves a pure and healthy atmosphere, destroys miasma, insects, both the large (as bugs) and those almost invisible, which are contagious and of a deadly nature.

1. NOTE.—(It is to be observed that during the last cholera epidemic, when the working classes in general were so terribly afflicted, the laborers in petroleum distilleries were spared.)

I used petroleum in the following manner, with completely satisfactory results:

(*a*) I had all the cattle taken from the stalls and the places cleaned, rubbing every part that had touched the animals with a cloth dipped in petroleum, as well as all the implements in use.

(*b*) Before returning the animals to the stalls, I had them rubbed all over the body with a cloth dipped in petroleum.

(*c*) I ordered the servants to wash their hands, their boots, &c., in water mixed in petroleum, and to sprinkle their clothes with it so as to give out that odor.

(*d*) I gave orders also that all the food and drink given to the cattle should first be sprinkled with petroleum water outside the stalls.

(*e*) I had all dogs kept out of the stables because, from their habits of smelling everything and gnawing bones, they are the greatest propagators of the scourge.

(*f*) The greatest precautions were observed to have the excrements removed as soon as they were voided, and the spots sprinkled with petroleum.

(*g*) I kept the animals in the stables for five days while using this treatment, and kept up the odor of petroleum as the dominant atmosphere.

After this the wind, the great purifier of the atmosphere, having dispersed the miasma of the country, I let the animals out of their stables and turned them into the pasture, taking care to rub their nostrils every morning, for some days, with a cloth soaked in petroleum.

As the above remedy was successful with me, I do not see why it should not be equally efficacious elsewhere, provided it be rigorously observed.

Though private interest ought to induce everybody to try this remedy for the preservation of his cattle, experience has taught us that the negligence of many farmers often causes them great misfortunes.

In view of the public calamity of the cattle plague in Europe for the last year, I take the liberty of requesting different governments to make a serious examination of my process, tested by experiments, and to appoint commissioners to have it tried in every infected district. The experiment should be rigidly carried out; this is easy from the peculiar odor of the petroleum.

P. S.—Although I had all the sick animals killed, and I advised others to do the same, yet it is possible that advanced medical science may have discovered a good remedy, and while applying it I think mine might be used at the same time as an external treatment, without which, logically speaking, no remedy can ever attain the end proposed.

My remedy for animals might be taken into consideration by physicians, to a certain extent, in treating human epidemics, for it is demonstrated that the malady exists not only in the body, but is deposited by it upon the bed-clothes and garments it touches. We must destroy the external germ, then, lest it destroy the effect of the remedies as it now does.

If I could anticipate the decision of the Royal British Commission upon my memorial, I would say from my experience that the problem is definitively solved; but while waiting for the judgment of that learned body, I have thought it advisable to give publicity to my ideas, that everybody might experiment upon good data. Unfortunately it happens too often that a good treatment is condemned because it has been badly tried.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 69.

WASHINGTON AND GEORGETOWN RAILROAD.

LETTER

FROM

GEORGE S. GIDEON,

PRESIDENT OF THE WASHINGTON AND GEORGETOWN RAILROAD COMPANY,

TRANSMITTING

Report of the board of directors for the year 1865.

MARCH 21, 1866.—Referred to the Committee for the District of Columbia and ordered to be printed.

OFFICE WASHINGTON AND GEORGETOWN RAILROAD COMPANY,
CORNER FIFTEENTH STREET AND NEW YORK AVENUE,
Washington, D. C., March 20, 1866.

SIR: I have the honor to transmit herewith the annual report of the board of directors of this company for the year 1865.

Very respectfully, your obedient servant,

GEO. S. GIDEON,
President.

Hon. S. COLFAX,
Speaker of the House of Representatives.

Report of the board of directors of the Washington and Georgetown Railroad Company for the year 1865.

OFFICE OF WASHINGTON AND GEORGETOWN RAILROAD COMPANY,
Washington, January 1, 1866.

The board of directors in presenting their annual report regret their inability to lay before the stockholders a more encouraging statement, a fact due to the great reduction of the population of the District since the close of the war, whereby the receipts of the company have been materially affected. The receipts for the six months ending December 31, 1865, were thirty per cent. less than during the corresponding period in 1864. While the receipts fell off thus suddenly and largely, there was no corresponding fall in the price of articles used in the operations of the road; and with the large amount of material and equipment on hand, necessary to maintain the road at the highest point of its business, it was found impossible to reduce the expenses in the same proportion with the rapid decline of the receipts.

Thus the profits are not what could be desired; and now that the business

has become so much reduced, it is a matter of considerable doubt whether the road can maintain its present efficiency, and give to the public the requisite accommodation, if the free-transfer system is retained. But it is hoped that Congress will release the company from this onerous requirement. The hardship of this burden upon the company may be seen at a glance; while it is a a conceded fact that wages, the cost of living, and of produce of every kind are always higher here than at any other point where street railways are in use; yet Washington is the only city in the country where the free-transfer system is in operation, either voluntarily or by charter requirement.

The following statement shows the working operations of the road during the past year:

Number of passengers carried during the year	7,571,412
Number of transfers during the year	1,940,567
Number of transfers per day	5,317
Number of running days	365
Average number of cars run per day	57
Number of trips run by all cars per day	906
Average number of trips run by each car per day	16
Number of trips run by all cars during the year	331,600
Average number of trips by each car during the year	5,817
Average number of passengers carried by each car per day	365
Average number of passengers carried by all cars per day	20,778
Average number of passengers carried by each car per trip	16
Number of miles run by all cars per day	3,114
Number of miles run by all cars during the year	1,136,610
Average number of miles run by each car per day	54½

By the foregoing statement it will be seen that during the year we have issued one million nine hundred and forty thousand five hundred and sixty-seven (1,940,567) transfer tickets, being an average of 5,317 per day, showing that we have, each day during the year, given a second ride to over five thousand persons without receiving any additional pay therefor. This is a heavy burden upon us, and, as already stated, ours is the only road in the United States that is compelled to convey passengers over two distinct roads for one fare. Our roads are entirely separate and distinct from each other, the two principal ones crossing at right angles, and require separate depots, stables, superintendents, &c., &c., and really have no more connexion than if the two were located in separate cities. And the free transfer system is not only thus ruinous to the interests of the road, but is also objectionable to a large portion of the public. Through-passengers find themselves seriously incommoded by the influx of the crowds who avail themselves of the facility afforded by the free transfer system for an additional ride without cost.

When horse railroads were first started the low fare was predicated upon the then price of all articles used in the business, but during the last four years the price of everything which enters into the workings of a horse railroad has more than doubled, while the fare, up to the first of April last, remained the same.

Aside from the drawbacks above referred to, the interests of the company are in a satisfactory condition. The lines of road are well stocked and equipped. The company own eighteen miles of track and eighty-eight cars, employing a large number of men, and requiring the use of nearly six hundred horses in the daily business of the road.

The depots, stables, shops, &c., &c., are extensive and well adapted to the purposes for which they are used.

The financial condition of the company will be seen from the annexed statement of the treasurer.

Respectfully submitted,

GEORGE S. GIDEON.

Report of the treasurer of the Washington and Georgetown Railroad Company, for the year ending December 31, 1865.

Received from passengers		$434,233 83
Received from other sources		3,387 26
		437,621 09
Received from bills payable (real estate)		19,028 33
		456,649 42
From which has been paid for transportation	$321,874 92	
For insurance	2,733 00	
Tickets	333 45	
	324,941 37	
Dividends	45,000 00	
Interest on funded debt	19,495 96	
Government and other taxes	16,277 26	
Real estate	18,215 46	
Sinking fund	4,000 00	
Loan due January 1, 1865	14,797 40	442,727 45
Balance		13,921 97

Which balance will be absorbed in the payment of outstanding bill due on 1st January, 1866.

WM. C. GREENLEAF, *Treasurer.*

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 70.

JAMES STOTT.

LETTER

FROM

THE SECRETARY OF STATE,

TO

Hon. N. P. Banks, transmitting correspondence relative to the claim of James Stott for illegal arrest by the authority of the United States.

MARCH 20, 1866.—Referred to the Committee on Foreign Affairs and ordered to be printed.

DEPARTMENT OF STATE,
Washington, March 16, 1866.

SIR: I have the honor to transmit herewith, for the consideration of the Committee on Foreign Affairs, a copy of a correspondence between the British legation and this department relative to the claim of James Stott to compensation for the injury in person and property he is alleged to have sustained while held under arrest by the United States authorities.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. N. P. BANKS,
Chairman of the Committee on Foreign Affairs, House.

List of papers in the case of James Stott.

Memorandum.—British Legation to the Department of State, November 4, 1863.
Mr. F. W. Seward to Lord Lyons, November 6, 1863.
Mr. F. W. Seward to Major Turner, November 6, 1863.
British Legation to the Department of State, November 7, 1863.
Mr. Seward to Major Turner, November 9, 1863.
Lord Lyons to Mr. Seward, November 25, 1863.
Mr. Seward to Lord Lyons, November 27, 1863.
Mr. Seward to Mr. Stanton, November 30, 1863.
Mr. Seward to Lord Lyons, November 30, 1863.
General Canby to Mr. Seward, January 18, 1864.
Mr. Seward to Lord Lyons, January 25, 1864.
Lord Lyons to Mr. Seward, February 27, 1864.
Mr. Seward to General Canby, March 11, 1864.
General Canby to Mr. Seward, March 16, 1864.

Mr. Seward to Lord Lyons, March 23, 1864.
Lord Lyons to Mr. Seward, April 9, 1864.
Mr. Seward to Mr. Stanton, April 14, 1864.
Mr. Seward to Lord Lyons, April 14, 1864.
Sir Frederick Bruce to Mr. Seward, December 15, 1864, with accompaniments.
Mr. Seward to Sir Frederick Bruce, December 26, 1865.
Mr. Seward to Mr. Stanton, December 26, 1865.
Mr. Eckert to Mr. Stanton, January 22, 1866.
Mr. Hunter to Sir Frederick Bruce, January 26, 1866.
Sir Frederick Bruce to Mr. Seward, March 1, 1866.
Mr. Seward to Sir Frederick Bruce, March 12, 1866.

Memorandum.

James Stott states that he is a native of Yorkshire, England; that he came to this country in 1846, but that he has not become a naturalized citizen of the United States; that he was arrested on the 2d September last, at Dexter, Penobscot county, Maine, charged with desertion from the 1st Rhode Island cavalry; that on being taken to that regiment he was found innocent, but was forwarded to Camp Distribution, where he is now held in confinement.

BRITISH LEGATION,
Washington, November 4, 1863.

Mr. F. W. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, November 6, 1863.

MY LORD: I have the honor to acknowledge the receipt of your memorandum of the 4th instant, relative to the case of James Scott, [Stott,] a native of Yorkshire, England, who is now held in confinement at Camp Distribution, and to state that it has been referred to Major L. C. Turner, judge advocate, with a view to investigation.

I have the honor to be your lordship's obedient servant,
F. W. SEWARD, *Acting Secretary.*

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. F. W. Seward to Major Turner.

DEPARTMENT OF STATE,
Washington, November 6, 1863.

MAJOR: I have to invite your attention to the enclosed copy of a memorandum, of the 4th instant, from Lord Lyons, relative to the case of James Stott, a native of Yorkshire, England, now held in confinement at Camp Distribution.

I am, major, your obedient servant,
F. W. SEWARD, *Acting Secretary.*

Major L. C. TURNER, *Judge Advocate.*

Memorandum.— With reference to Lord Lyons's memorandum of the 4th November, and to the answer of the State Department of the 6th November.

The name of the prisoner at Fort Distribution is James Stott.

It is feared that he may have been erroneously styled *Scott*, and that this may prevent his being identified by Major L. C. Turner, judge advocate, to whom the case has been referred.

BRITISH LEGATION,
Washington, November 7, 1863.

Mr. Seward to Major Turner.

DEPARTMENT OF STATE,
Washington, November 9, 1863.

MAJOR: Referring to the communication addressed to you by this department on the 6th instant, relative to the case of James Stott, a native of Yorkshire, England, now held in confinement at Camp Distribution, I beg leave to state that the name of the person was therein erroneously written *Scott*, and I will consequently thank you to rectify the mistake.

I am, major, your obedient servant,

WILLIAM H. SEWARD.

Major L. C. TURNER, *Judge Advocate.*

Lord Lyons to Mr. Seward.

WASHINGTON, *November* 25, 1863.

SIR: With reference to my communications of the 4th and 7th instant, and to your answers of the 6th and 9th instant, I have the honor to recommend to your attention the enclosed copy of a letter from James Stott, who was, until recently, in confinement on a charge of desertion, and who, as you are aware, lays claim to British protection.

Stott represents that he was arrested on the 2d September, and sent as a prisoner from place to place; that he was at times put in irons, and that he was detained until the 10th of this month, when he was released at Camp Distribution, with his constitution (as he affirms) injured by the severe discipline which he underwent. He prays for some remuneration for the hard treatment to which he has been subjected.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Stott's statement.

DEXTER, *November* 13, 1863.

MY LORD: I was arrested as a deserter on the 2d day of September, by one George Stevens, by the order of the provost marshal, headquarters at Bangor, named Low; was detained in Dexter about twelve hours; taken thence to Ban-

gor city, and there put under guard for five days; thence to Augusta, the capital of the State of Maine, there put in jail and remained there in close confinement for ten days; thence I was transported to Boston, Massachusetts, and confined there in irons for twelve hours; thence to Providence, Rhode Island; there I remained two days; thence to New York, taken to Governor's island, in Castle William; was detained eight days; thence sent to Camp Distribution, Alexandria, Virginia; I remained there two days; thence I was ordered to Culpeper, and at this place, being headquarters of the army of northern Virginia, under the orders of the provost marshal of 2d corps, four weeks and five days. I was then ordered back to Camp Distribution by General Pattenelli; was detained till my release came from the Secretary of War, on the 10th day of November, 1863. I further say that I was discharged without the usual clothing under army regulations. I am unable to go to work, my constitution having been injured by the severe discipline I received; and if your lordship can assist me in recovering some remuneration for my past treatment, I shall be glad of it.

I remain, &c., &c.,

JAMES STOTT.

LORD LYONS, *&c., &c., &c.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, November 27, 1863.

MY LORD: With reference to my note of the 9th instant, relative to James Stott, I have the honor to inform you that it appears, from information this day received from Major L. C. Turner, that James Stott was discharged and sent home on the 10th of this month.

I have the honor to be, with high consideration, your lordship's obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. Seward to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, November 30, 1863.

SIR: I have the honor to invite your attention to the enclosed copy of a communication of the 25th instant, addressed to this department by Lord Lyons, relative to the case of James Stott, recently confined on a charge of desertion, who claims British protection, and prays for some remuneration for the harsh treatment to which he was subjected.

I have the honor to be your obedient servant,

WILLIAM H. SEWARD.

Hon. EDWIN M. STANTON,
Secretary of War.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, November 30, 1863.

MY LORD: I have the honor to acknowledge the receipt of your communication of the 25th instant, relative to the case of James Stott, recently confined

on a charge of desertion, who prays for some remuneration for the hard treatment to which he was subjected, and that a copy of it has been submitted to the Secretary of War.

I have the honor to be your lordship's obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

General Canby to Mr. Seward.

WAR DEPARTMENT,
Washington, January 18, 1864.

SIR: The Secretary of War instructs me to acknowledge the receipt of your letter of the 30th November last, enclosing a copy of a communication of the 25th of same month, from Lord Lyons, relative to the case of James Stott, an alleged British subject, recently confined on a charge of desertion, and who prays for some remuneration for his hard treatment, and to request that this department may be put in possession of information as to the amount of the remuneration he asks.

I have the honor to be your obedient servant,

EDWARD R. S. CANBY,
Brigadier General, Assistant Adjutant General.

The SECRETARY OF STATE,
Washington, D. C.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, January 25, 1864.

MY LORD: Recurring to your note of the 25th of November last, relative to the claim of James Stott, recently confined on a charge of desertion, to remuneration for his hard treatment, I have the honor to enclose a copy of a letter from Brigadier General Canby on the subject, and will thank your lordship for the information requested.

I have the honor to be, with high consideration, your lordship's obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Lord Lyons to Mr. Seward.

WASHINGTON, *February* 27, 1864.

SIR: In answer to your note of the 25th ultimo, enclosing a copy of a letter from Brigadier General Canby, in which he requests that the War Department may be put in possession of information as to the amount of remuneration claimed by James Stott for the harsh treatment to which he was subjected during his recent confinement on a charge of desertion, I now have the honor to state that Stott represents to me that he considers three hundred and fifty dollars would

be a fair compensation for the loss of time and injuries inflicted on him consequent upon his arrest.

Stott states that he lost nearly three months' time; that on his return home he was obliged to borrow money; that his wife, to whom he had been married but a very short time previous to his arrest, was left quite destitute during his absence; and that his own health is so much impaired by his confinement that he is barely able to do any work.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to General Canby.

DEPARTMENT OF STATE,
Washington, March 11, 1864.

GENERAL: Having enclosed to Lord Lyons a copy of your letter of the 18th of January last in regard to the case of James Stott, I now communicate a copy of his reply of the 27th ultimo.

I am, general, your obedient servant,

WILLIAM H. SEWARD.

Brig. Gen. E. R. S. CANBY, *A. A. G.,*
War Department.

General Canby to Mr. Seward.

WAR DEPARTMENT,
Washington City, March 16, 1864.

SIR: The Secretary of War instructs me to acknowledge the receipt of your letter of the 11th instant, enclosing a copy of the reply of Lord Lyons of the 27th ultimo to the letter of the 18th January last from this department, communicated by you to him on the 25th ultimo, in which he states the amount of remuneration claimed by James Stott, a British subject, erroneously arrested on charge of desertion, to be three hundred and fifty dollars.

In reply thereto, the Secretary instructs me to say that there is no appropriation from which Stott can be paid, more than the pay of a soldier from the time he was detained, but that matters of this character will probably come before Congress, when the claim for the balance, which cannot now be allowed, may be presented.

I have the honor to be your obedient servant,

ED. R. S. CANBY,
Brigadier General, A. A. G.

The SECRETARY OF STATE,
Washington, D. C.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, March 23, 1864.

MY LORD: I have the honor to transmit herewith a copy of a letter of the 16th instant, addressed to this department by Brigadier General Canby, relative

to the remuneration claimed by James Stott, an alleged British subject, erroneously arrested and detained on a charge of desertion, which formed the subject of your lordship's note of the 27th ultimo.

I have the honor to be, with high consideration, my lord, your obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c.*, *&c.*, *&c.*

Lord Lyons to Mr. Seward.

CLAIM OF JAMES STOTT.

WASHINGTON, *April* 9, 1864.

SIR: In the copy of a letter from the War Department, which was enclosed to me in the note which you did me the honor to address to me on the 23d ultimo, in answer to a communication which I made to you on the 27th February, relative to a claim for compensation put forward by James Stott, a British subject, it is stated: "there is no appropriation from which Stott can be paid more than the pay of a soldier from the time he was detained, but that matters of this kind will probably come before Congress when the claim for the balance, which cannot now be allowed, may be presented."

Having communicated this statement to James Stott, he has informed me that he desires to receive at once the pay as a soldier from the time he was detained, without prejudice to his demanding the balance of his claim hereafter, according to the suggestions contained in the letter from the War Department above mentioned.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, April 14, 1864.

SIR: Referring to your letter of the 16th ultimo, respecting the claim of James Stott against the United States, I have the honor to enclose a copy of a note of the 9th instant from Lord Lyons, and to commend to your attention the wish of Stott to receive the pay which has been admitted due to him.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, April 14, 1864.

MY LORD: I have the honor to acknowledge the receipt of your note of the 9th instant, respecting the soldier's pay due to James Stott, and to inform

your lordship that I have enclosed a copy thereof to the Secretary of War, to whose attention it has been commended.

I have the honor to be, with high consideration, my lord, your obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Sir Frederick Bruce to Mr. Seward.

WASHINGTON, *December* 15, 1865.

SIR: With reference to the correspondence which passed between Lord Lyons and yourself in 1863 and 1864, relative to the case of James Stott, a British subject, who was erroneously arrested and detained on a charge of desertion, the last notes from you being dated the 23d March and 14th April, 1864, and the last from Lord Lyons being dated the 27th February, 1864, I have the honor to transmit to you copies of a letter and of its enclosure which I have received from Stott, from which it appears that he has experienced difficulty in obtaining the compensation awarded to him by the United States government, and I shall be obliged to you if you will have the goodness to communicate these documents to the proper authority, and to inform me what steps Stott should take to obtain the money due to him.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

DEXTER, MAINE, *December* 7, 1865.

SIR: In June, 1864, the government of the United States agreed to muster me into the service and to muster me out again to enable me to draw pay for being wrongfully imprisoned on a charge for desertion, to cover a period of time that I was doing duty as a soldier. I have never received any compensation for said service. I received an order from the provost marshal of Augusta, Maine. (See enclosed letter.) I did not answer this letter at the time, supposing that I could do it at any time, there being no demand in the order that I must immediately attend to it. On account of my circumstances being limited at that time, deferred it till 1865. I then wrote to the provost marshal at Augusta that I was ready to comply with his request, stating the contents of his order. His answer was that there was nothing on file or recorded to authorize him to do anything about it. Please give me instructions how to proceed further.

Your obedient servant,

JAMES STOTT.

Hon. SIR F. BRUCE, *&c., &c., &c.*

OFFICE ACTING ASSISTANT PROVOST MARSHAL GENERAL,
Augusta, Maine, June 2, 1864.

SIR: An order from the War Department authorizes your muster into service, and mustered out again, to cover the period you were in service, so that you can draw pay for same.

This will be done if you will come to Augusta and report to this office. Inform me by mail when you will be here.

Respectfully,

G. P. COCHRAN,
Captain and Inspector.

JAMES STOTT, *Dexter, Maine.*

Mr. Seward to Sir Frederick Bruce.

DEPARTMENT OF STATE,
Washington, December 26, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 15th instant, relative to the case of James Stott, who, it appears, has been unable to obtain the compensation awarded to him by the United States government on account of his illegal arrest and detention as a deserter. In reply, I have the honor to state that, in accordance with your request, I have transmitted a copy of that communication to the proper authorities, with a view to acquaint you as to the course to be pursued to enable Mr. Stott to obtain the money due him.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Seward to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, December 26, 1865.

SIR: Referring to a former correspondence relative to the case of James Stott, a British subject, who was illegally arrested and detained on the charge of desertion from the United States army, I have the honor to transmit a copy of a communication of the 15th instant, from Sir Frederick Bruce, from which it appears that Stott has been unable to obtain the compensation awarded to him by the War Department. I will thank you to acquaint me as to the proper steps to be taken by Stott to enable him to obtain the money due to him.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. E. M. STANTON,
Secretary of War.

Mr. Eckert to Mr. Seward.

WAR DEPARTMENT,
Washington City, January 22, 1866.

SIR: In reply to your communication of the 26th ultimo, requesting, at the instance of the British minister, information as to the proper steps to be taken by James Stott in order to obtain the compensation awarded him for his arrest and detention as a deserter from the United States military service, I am directed

by the Secretary of War to inform you that on the 11th instant the person referred to reported to the chief mustering officer of Maine, and was mustered in and out of service in accordance with the instructions given in his case, and that no further claim is necessary.

I have the honor to be, sir, your obedient servant,

THOS. T. ECKERT,
Acting Assistant Secretary of War.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Hunter to Sir Frederick Bruce.

DEPARTMENT OF STATE,
Washington, January 26, 1866.

SIR: Referring to your communication of the 15th ultimo, relative to the case of James Stott, I have the honor to enclose for your information a copy of a letter of the 22d instant from the War Department.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER,
Acting Secretary.

Hon. SIR FREDERICK W. A. BRUCE,
&c., &c., &c., Washington, D. C.

Sir Frederick Bruce to Mr. Seward.

WASHINGTON, *March* 1, 1866.

SIR: I have the honor to acknowledge the receipt of Mr. Hunter's note of the 26th January, transmitting a copy of a letter from the War Department, in which it is stated that James Stott has been mustered in and out of the United States military service as compensation for his illegal arrest and detention as a deserter.

James Stott informs me that he has received twenty-seven dollars as such compensation.

In Lord Lyons's note to you of the 27th February, 1864, in reply to yours of the 25th January, the amount claimed by James Stott as a fair compensation for the loss of time and injuries inflicted upon him is stated to be three hundred and fifty dollars.

In answer to this note you were good enough, on the 23d March, 1864, to communicate to his lordship a letter from the War Department to the effect that there was no appropriation from which Stott can be paid more than the pay of a soldier for the period during which he was detained; but that matters of this character would probably come before Congress, when the claim for balance might be presented.

Under these circumstances I have the honor to request that you will have the goodness to cause the further claim of James Stott, for three hundred and thirty-three dollars, or for such sum, by way of compensation, as may seem proper, to be submitted to the favorable consideration of Congress.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FEDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Sir Frederick Bruce.

DEPARTMENT OF STATE.
Washington, March 12, 1866.

SIR: I have the honor to acknowledge the receipt of your note of the 1st instant, requesting me to cause the claim of James Stott to be admitted to the favorable consideration of Congress, and to inform you that the papers in this case are now being prepared, with a view to a compliance with your request at the earliest available opportunity.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE,
&c., &c., &c., Washington.

NATIONAL BUREAU OF EDUCATION.

RESOLUTION

OF THE

LEGISLATURE OF IOWA,

RELATIVE TO

The establishment of a Bureau of Education.

MARCH 21, 1866.—Referred to the Select Committee on Education and ordered to be printed.

RESOLUTION.

Be it resolved by the house of representatives of the State of Iowa, (the senate concurring,) That our senators in Congress be instructed, and our representative be requested, to favor and urge the establishment of a National Bureau of Education, with headquarters at Washington, with a view to the collection of statistics and other information on general education, and the dissemination of the same.

A true copy of the original resolution now on file in my office.

JAMES WRIGHT, *Secretary of State.*

MARCH 12, 1866.

COMMODORE WILLIAM RADFORD.

LETTER

FROM

THE SECRETARY OF STATE,

IN RELATION TO

A decoration proposed to be conferred by the King of Italy on Commodore Radford, United States navy.

MARCH 21, 1866.—Referred to the Committee on Foreign Affairs and ordered to be printed.

DEPARTMENT OF STATE,
Washington, March 6, 1866.

SIR: I have the honor to transmit herewith a copy of a letter of the 3d instant, with accompaniments, from Commodore William Radford, of the United States navy, relative to a decoration proposed to be conferred upon him by the King of Italy, for assistance rendered to the Italian frigate Re d'Italia.

The propriety of authorizing Commodore Radford to accept the proposed compliment is submitted for your consideration.

I have the honor to be, sir, your obedient servant,

WILLIAM H. LARAW.

Hon. NATHANIEL P. BANKS,
Chairman of the Committee on Foreign Affairs.

WASHINGTON, *March* 3, 1866.

SIR: I have the honor to enclose herewith a copy of a correspondence which took place in 1864 between myself and Captain Del Sauto, of the royal Italian navy, and the Secretary of the United States navy, relative to a decoration proposed to be conferred upon me by his Majesty the King of Italy, for assistance rendered to the Italian frigate Re d'Italia. I will thank you to take such steps in the matter as in your judgment may seem proper.

I am, sir, your obedient servant,

WILLIAM RADFORD,
Commodore United States Navy.

Hon. WILLIAM H. SEWARD,
Secretary of State.

NEW YORK, *April* 10, 1864, 200 *Lewis street.*

SIR: I have the honor to inform you that, after proposal of the minister of marine, his Majesty the King of Italy has bestowed upon you the decoration of officer of the Equestrian Order of St. Maurizes and Lazzaro as a reward for the assistance you afforded to the Italian frigate Re d'Italia when she got ashore near Long Branch.

Having been appointed to deliver you said decoration and the letters which accompany it, I will be happy, commodore, to learn from you when, after getting the proper permission of the Congress, you will be able to accept them.

I am your most obedient servant,

DEL SAUTO,
Captain of Frigate, Royal Italian Navy.

Commodore W. RADFORD, U. S. N.,
Brooklyn Navy Yard.

UNITED STATES NAVY YARD,
New York, April 12, 1864.

SIR: I have had the honor to receive your letter of the 10th instant, informing me of the intention of his Majesty the King of Italy to bestow upon me the decoration of office of the Equestrian Order of St. Maurizes and Lazzaro as a reward for assistance rendered to the Italian frigate Re d'Italia, &c.

I beg leave to state that I fully appreciate the intended honor proposed to be conferred upon me by his Majesty, and shall lay your communication on the subject before the honorable Secretary of the United States navy, and request permission, through him, of the proper authority to accept the proposed compliment of the minister of marine, and on its receipt will do myself the honor again to address you.

I am, sir, very respectfully, your obedient servant,

WILLIAM RADFORD,
Commodore United States Navy.

Captain DEL SAUTO,
Of the Royal Navy of Italy, New York.

UNITED STATES NAVY YARD,
New York, April 12, 1864.

SIR: I have the honor to enclose a copy of a letter received by me from Captain Del Sauto, commanding the Italian frigate Re d'Italia, informing me of the intention of the King of Italy to confer upon me the "decoration of the Order of St. Maurizes and Lazzaro," if it should meet with the approbation of my government, as also a copy of my reply.

I respectfully submit the subject to the department for such action as it may deem advisable in the premises.

I am, sir, very respectfully, your obedient servant,

WILLIAM RADFORD,
Commodore United States Navy.

Hon. GIDEON WELLES,
Secretary of the Navy.

NEW YORK, *September* 3, 1864.

SIR: Pursuant to my letter of the tenth of April ultimo, No. 22, being obliged to leave the United States, I have the honor to inform you that I have consigned the decoration of officer of St. Maurizes and Lazzaro, conferred upon you by his Majesty the King of Italy, to the Duke of Leciznaur, consul general of Italy at New York, who has directions to deliver it to you, as soon as you will let him know that the proper authorization from Congress has been granted.

I am, sir, with the highest consideration, your respectful servant,

DEL SAUTO,
Captain of Frigate, Royal Italian Navy.

Commodore RADFORD,
United States Navy, Brooklyn.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 73.

FLAG OF THE UNITED STATES.

LETTER

FROM

THE SECRETARY OF STATE,

IN RELATION TO

A flag of the United States received from the working people of the city of Lyons, France.

MARCH 21, 1866.—Referred to the Committee on Foreign Affairs and ordered to be printed.

DEPARTMENT OF STATE,
Washington, February 17, 1866.

SIR: I have the honor to enclose for your information and that of the Committee on Foreign Affairs a copy of a letter of the 20th ultimo, and of its accompaniments, addressed to this department by Louis W. Viollier, esq., the consul of the United States at Lyons on the subject of a flag and flag-staff which have been prepared by an association in that city in memory of the late President Lincoln. The flag has been received, but did not reach here in season for the ceremonial to which Mr. Viollier refers. I await any directions which Congress may give on the subject.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. NATHANIEL P. BANKS,
Chairman of Committee on Foreign Affairs, House of Reps.

CONSULATE OF THE UNITED STATES,
Lyons, January 20, 1866.

SIR: On the seventeenth of this month, the president and members of the commission of the flag to the memory of our late President came to this consulate and formally delivered to me the flag and flag-staff, requesting me to forward it to Washington.

As authorized by you, after having it properly packed, I sent it to Havre, to be thence shipped on board the steamer Fulton for New York, addressing it to the despatch agent, and requesting him to forward it to you without delay.

When delivering the flag the president of the commission, after some very appropriate remarks, in which he expressed his sympathy for the loss our country has suffered in the person of the late President, and his admiration of our institutions and of the conduct of our citizens during and after the war, read and handed to me a letter addressed to the President and to Congress. The original letter is enclosed, as well as a translation.

I further enclose translation of a letter addressed to me by the administration of the Weavers' Association, on whose looms the flag has been manufactured;

Directions for the opening of the box and arrangement of the flag;

Notice on the flag, and its manufacture.

The members of the commission requested me to communicate to you their wishes that, if you see no impropriety in it, the flag be offered to Congress on the 12th of February, when both houses will be assembled to do honor to the memory of the late President.

They also would wish Mrs. Lincoln to be informd of the testimony paid to the memory of her late husband.

Allow me, sir, to state that our warm-hearted friends, the working-men of Lyons, who all through the war have exhibited their sincere interest in our affairs, their sympathy for our reverses, and joy for our final success, would, I believe, be very grateful for any notice given to their offering.

Should the Washington papers mention the receipt of the flag, I would respectfully request you to send me some numbers, that I may communicate them to the commission.

I am, sir, with great respect, your obedient servant,

LOUIS W. VIOLLIER.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Translation.]

To the President of the United States and the members of Congress:

When we heard in Lyons of the tragical death of your illustrious predecessor, we spontaneously manifested by an address to Congress our sentiments of paternity and sorrow.

But we wished this expression of our sympathy to be durable.

All the citizens whose hearts beat for liberty, and who have been deeply impressed by the crime committed on Abraham Lincoln, have joined in a testimony of admiration for a great patriot, and of friendship for a free people.

The working-men have opened a popular subscription; the weavers of our city, inspired by the same idea, have succeeded by their work in realizing the common intent, and we now take great pleasure in sending to our brothers in the United States this modest flag, in honor of Abraham Lincoln, as a testimonial of our sentiments.

May it, remind you, that whatever may happen, we are united to you by our convictions.

May it, with the glorious name it bears, remind you of the strengthening of liberty in your wise and courageous country.

May that remembrance be a hope for all other nations.

Accept, Mr. President, for the people of the United States, our fraternal salutations.

The executive commission:

J. T. MILLE, *Weaver.*

The initiative commission:

SAGE, *President.*
RAFIN, *Weaver, Secretary*
VARAMBON, *Lawyer, Consular General.*
CHATELET.
SERRET.
L. RICHARD.
DENONFOUT.
ACANE.
DECHENEAU.
MINGOT.
THOMAS.

LYONS, *January* 20, 1866.

A correct translation.

LOUIS W. VIOLLIER,
United States Consul.

[Translation.]

To the Consul of the United States, Lyons:

SIR: When we heard that it was intended to offer the United States a flag of honor, to the memory of Abraham Lincoln. the martyr of liberty, we at once approved of it, and when we undertook its execution, we did so with our hearts, for it is a great and beautiful idea, which we hope will be a bond between the two nations.

When war broke out in your country, and your markets were closed to us, the weavers of Lyons suffered much; not one of us, however, would have wished for a postponement of the great solution for which you were fighting on the battle-fields of liberty.

During that period we created our association.

We beg you, Mr. Consul, to tell your countrymen that if by force, and moved by sentiments of justice and humanity, they have emancipated the colored people, we, by association, solidarity and mutuality, endeavor to emancipate the workmen of France.

Accept, sir, for yourself, and for the great nation you represent, the expression of our full sympathy.

Signed by the members of the administration of the Societé Industrielle, Commerciale, et de Prevoyance des Sissewrs de Lyon.

J. A. BURLAT.
COCHARD
GAUTHIER J.
DUTEL.

The following details on the flag offered to the United States by the workingmen of Lyons have been gathered from the members of the executive commission from the association of the weavers and different other sources.

The subscription is essentially popular. All the lists have not yet been re-

turned. I am informed that there are already over 25,000 subscribers, most of them at ten centimes, and belonging nearly all to the laborious class.

This subscription has been but very moderately advertised in the only liberal paper of Lyons; the subscriptions of merchants or people belonging to a higher class have not been solicited. It can really be said that the success is a proof of the sincere admiration and affection of the liberal working class for our country, its late Chief Magistrate, and our free institutions.

The executive commission, wishing to adhere to the sentiments which have presided to its creation, has decided to intrust the execution of the flag, not ,as is usual, to a regularly established manufacturer, but to the administration of the society of the weavers, a newly formed association.

They at once and with zeal accepted the charge, and put the undertaking into the hands of Mr. Cochard, chef d'atelier, one of its principal members.

The design, including the arrangement and adaptation of the Jacquard loom, the most difficult part, was intrusted to Messrs. Michalet and Bertachon, designers.

The silk was dyed by the association of the dyers.

The flag is three and one-half metres in length, and two and fifteen-hundredths metres in width.

The texture is what is ordinarily known as gros de tours, a heavy and rich tissue.

The red and white stripes, and the blue square, are united together without seams by the action of the loom, (crochetage.)

On the blue part are thirty-five double-faced stars, silver broché.

The inscription—"Popular subscription: To the Republic of the United States. Offered in memory of Abraham Lincoln—Lyons, 1865"—is also sans envers and double-faced. It is broche gold on both sides of the same ground, and this constituted the principal difficulty of the work.

I have, while the work was progressing, requested a number of merchants and weavers to examine the machinery, and the mode of proceeding, and they all agreed in expressing their astonishment and their admiration of the skill and ingeniousness displayed by the designers and weavers in adapting the loom.

I understand that until now no flag of that kind had been manufactured; that the junction of the stripes of different colors and the double-faced inscription are real curiosities.

The flag, at the request of a number of subscribers, has been exhibited for over a week at the Palais of Commerce, and has been visited by over 100,000 people.

As a work of art, and a piece of difficult execution, it may not have the same interest in the United States. I am, however, persuaded it will be received there by our citizens as a valuable testimony of the sympathy and friendship of a large proportion of the people of this city.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 74.

AID TO IOWA BRANCH OF THE PACIFIC RAILROAD.

MEMORIAL

OF THE

LEGISLATURE OF IOWA,

FOR

Government aid to the extension, in Iowa, of the Iowa branch of the Union Pacific railroad.

MARCH 22, 1866.—Referred to the Select Committee on the Pacific Railroad, and ordered to be printed.

MEMORIAL AND JOINT RESOLUTION asking Congress to grant the same aid to the Iowa branch of the Union Pacific railroad as has been granted to the Kansas branch of the same road.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the general assembly of the State of Iowa, would most respectfully represent, that the same interests of the general government which prompted the enactment of the "Act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July 1, 1862, also exist, and apply with all their force, to the extension of that line of railroad and telegraph from the Missouri river to the capital of the State of Iowa; that even still further reason exists for such extension, in the fact that the large expenditure by the government in the construction of the main line, west from Omaha, must remain to a considerable extent less useful and profitable, until a connecting road east from said point is constructed. That the early construction of such road is of great importance, not only to Iowa, but to the federal government; and it can only be done by granting to such road the same or similar aid as that granted to the main line; that every principle of justice, and every consideration of interest, military, civil or pecuniary, which prompted the aid to construct the main line, and especially that given to construct the Kansas branch of the Union Pacific railroad, exist and apply to the granting of like aid to the Iowa branch of the Union Pacific railroad.

That a company for the construction of such road has been duly organized under the laws of Iowa, and is composed of persons of recognized ability and integrity.

Your memorialists would further represent, that the State of Iowa, like Kansas, is a frontier State. That during the national struggles, just closed, Iowa has cheerfully done her full duty in fighting the rebels in arms against the government and at the same time has protected herfrontier from the incursions of hostile Indians. That while we do not desire to improperly bear testimony to the devotion and patriotism of our own State, we do feel that it is not unjust to Kansas to say that Iowa has done her duty as faithfully as has Kansas, and we need claim no more.

That, in every particular, the claims of Iowa upon the general government are equal to those of Kansas, and the interests of the federal government will be at least as greatly promoted by the construction of the Iowa branch of the Union Pacific railroad leading from the terminus at Omaha, through Council Bluffs, to Des Moines, the capital of the State, as by the construction of the Kansas branch, and that the Iowa branch has advantages in that it is a continuation of the main line.

Be it resolved by the general assembly of the State of Iowa, That Congress be, and hereby is, memorialized to pass, and our senators in Congress are hereby instructed and our representatives requested to use their best endeavors to procure the passage of a law granting to the Iowa branch of the Union Pacific Railroad Company the same aid, under the same restrictions and limitations, as has been granted to the Kansas branch of the Union Pacific railroad.

Resolved, That the secretary of state be, and hereby is, instructed to forward a duly certified copy of the foregoing memorial and joint resolution to each of our senators and representatives in Congress.

ED. WRIGHT,
Speaker of the House of Representatives.
B. F. GUE,
President of the Senate.

Approved March 6, 1866.

W. M. STONE.

The above is a true copy of the original resolution now on file in my office.

JAMES WRIGHT,
Secretary of State.

March 12, 1866.

CRUDE PETROLEUM.

RESOLUTIONS

OF THE

LEGISLATURE OF PENNSYLVANIA,

INSTRUCTING

Their senators and requesting their representatives to procure a repeal of the tax upon crude oil or petroleum.

MARCH 26, 1866.—Referred to the Committee of Ways and Means and ordered to be printed.

JOINT RESOLUTIONS relative to a repeal of the tax upon crude petroleum.

Whereas the production of petroleum has become a matter of vast national importance, and should be encouraged rather than repressed, it being not only the interest of the people, but also of the government, that the production and exportation should be as large as possible;

And whereas the present tax upon the crude article is not only oppressive, but prohibitory on all the smaller class of wells, which in number are as one hundred to one, compared to the large ones, and the producers, in but few instances being the owners of the fee, are compelled to give the one-half of the product as a royalty to said owners, which renders it impossible to pay the present tax and carry on operations: Therefore,

SECTION 1. *Be it resolved by the senate and house of representatives of the Commonwealth of Pennsylvania*, That our senators in Congress be instructed, and our representatives be requested, to use all honorable means to procure, at the earliest possible day, the repeal of the tax upon crude petroleum.

SEC. 2. That the governor be, and he is hereby, requested to furnish to each senator and representative in Congress from the State of Pennsylvania a copy of the foregoing preamble and resolution.

E. W. DAVIS,
Speaker of the House of Representatives pro tem.
DAVID FLEMING,
Speaker of the Senate.

Approved the twenty-first day of March, anno Domini one thousand eight hundred and sixty-six.

A. G. CURTIN.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, March 22, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a full, true, and correct copy of the original act of the general assembly, entitled "Joint resolutions relative to a repeal of the tax upon crude petroleum," as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and caused the seal of the secretary's office to be affixed, the day and year above written.

ELI SLIFER,
Secretary of the Commonwealth.

[SEAL.]

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 76.

IOWA CENTRAL RAILROAD.

RESOLUTION

OF THE

LEGISLATURE OF IOWA,

ASKING

A grant of lands to aid in the construction of the Iowa Central railroad.

MARCH 28, 1866.—Referred to the Committee on Public Lands and ordered to be printed.

MEMORIAL FOR A GRANT OF LANDS.

To the Senate and House of Representatives of the United States:

Your memorialists, the general assembly of the State of Iowa, would most respectfully represent, that the several railroads running from the east to the west, through our State, have had valuable and munificent grants given to them to aid in building said roads for developing the rich resources of our young State, inducing the emigrant to settle among us, also affording facilities to transport our surplus produce to eastern markets. And in view of these benefits arising from grants to the State and the roads, your memorialists would further represent the importance of encouraging a railway connexion with St. Louis and the pine regions of the north, and by this means affording the advantage of navigation to the ocean at all seasons.

The increasing demand for lumber for the vast country west of the Iowa Central demands that we should seek an outlet from the pineries through our State. Our produce would find a cheaper and readier exit to market than eastern lines are able to afford. The prosperity and wealth of the State are, in a measure, dependent upon the speedy construction of north and south roads. They would be the best regulators of excessive tariffs, opening a competition with the east and west roads that would be for the best interests of the agricultural prosperity of the State.

Your memorialists would further represent, that a company has been formed, called the Iowa Central, having for its object the feasibility and importance of connecting the railroad systems of Missouri and Minnesota. The Iowa Central will connect the North Missouri with the Minnesota Central, thus completing a great chain of railroads from the lakes of the north to the Gulf of the south with bands of iron. The northern terminus will be Superior City; the southern, Galveston, Texas, by way of St. Louis and St. Paul.

This great thoroughfare will run through the counties of Mitchell, Floyd, corners of Chickasaw and Butler, through Bremer, Black Hawk, Tama, Poweshiek, Mahaska, corner of Wapello, and through Monroe and Appanoose.

Sufficient amount has been raised in Black Hawk, Tama, Mahaska, Wapello, and Appanoose counties for the grading and bridging of the road. The work through the counties of Black Hawk and Tama is under contract, and will be finished for the iron by the second day of July next. The contract for the grading from Cedar Falls to the Missouri State line will be put under contract early in the spring.

Passing through, as it does, one of the richest agricultural districts of the State, on one hand terminating in the great lumber regions of Minnosota, and on the other, reaching St. Louis, the commercial emporium of the Mississippi, passing through the great coal region of our State, which will be of vast benefit to the country north of us. The counties through which the Iowa Central passes have a population of over 120,000 persons: Therefore, be it

Resolved, That our senators in Congress be instructed, and our representatives be requested, to use their influence to procure a liberal grant of land to the State to aid in the construction of the Iowa Central railroad, embracing such privileges and restrictions as they may deem proper to prevent any diversions of said grant from the object contemplated in this memorial and joint resolution.

Resolved, That a copy of this memorial and resolutions be forwarded by the secretary of state to each of our senators and representatives in Congress.

I hereby certify the foregoing to be a true copy of the original roll now on file in my office.

JAMES WRIGHT,
Secretary of State.

March 3, 1866.

OFFICERS OF THE NAVY.

RESOLUTIONS

OF THE

LEGISLATURE OF NEW YORK,

AS TO

Increased pay to naval officers.

MARCH 28, 1866.—Laid on the table and ordered to be printed.

IN ASSEMBLY, *Albany, March* 10, 1866.

Whereas a select committee of the Chamber of Commerce of the State of New York, after the consideration of a memorial laid before them of the officers of the United States navy for an increase of pay, did resolve "That this report and the memorial of the officers of the United States navy be sent to the Hon. E. D. Morgan, of the United States Senate, and to the Hon. H. J. Raymond, of the House of Representatives, and that they be requested to urge the subject upon the favorable consideration of Congress:"

Resolved, therefore, That (if the senate concur) the members of this body do concur in the resolution of the select committee of the Chamber of Commerce of the State of New York, and that a copy of this preamble and resolution be sent to each member of the United States Senate, and also to each member of the House of Representatives, of the State of New York.

By order of the assembly:

J. B. CUSHMAN, *Clerk.*

IN SENATE, *March* 21, 1866.

Concurred in without amendment.

By order:

JAS. TERWILLIGER, *Clerk.*

39TH CONGRESS, 1st Session. HOUSE OF REPRESENTATIVES. MIS. DOC. No. 78.

TRANSPORTATION BETWEEN THE WESTERN STATES AND ATLANTIC SEABOARD.

APRIL 2, 1866.—Ordered to be printed.

Mr. RAYMOND offered the following concurrent

RESOLUTION.

Resolved by the House of Representatives, (the Senate concurring,) That a commission of five persons be appointed by the President of the United States to consider and report to Congress at its next session upon the necessity of some more speedy, cheap, and reliable means of transportation between the western States and the Atlantic seaboard, and to submit some plan, whether by law or treaty, whereby the national government can aid in providing for said necessity, if it shall be found to exist: *Provided*, That said commissioners shall receive no compensation for their services and no payment of any kind, except for such travelling expenses as they may actually incur in discharging the duties imposed upon them by this resolution.

TAXING MINING CLAIMS.

MEMORIAL

OF THE

LEGISLATURE OF OREGON,

AGAINST

Taxing mining claims.

APRIL 2, 1866.—Referred to the Committee on Mines and Mining and ordered to be printed.

JOINT MEMORIAL in relation to imposing taxes on mining claims.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the legislative assembly of the State of Oregon, would respectfully represent that, in their opinion, the passage of any law by Congress imposing a tax upon mining claims, or the right of mining upon the public lands of the United States, other than upon gold bars, and the general income tax already in force, would be greatly detrimental to the interests of that portion of our countrymen who are engaged in developing the rich mineral resources of our country, without resulting in any benefit to the general government, and at the same time would work a manifest injustice to those hardy and enterprising prospectors and miners who deserve encouragement and protection of the government. Your memorialists represent that all the products of mining are already made to pay tribute to the income tax, and it would be contrary to the principles of justice to tax the ore both before and after it is separated from the earth in which it is found imbedded. Nor do they think it right or expedient to tax the muscle of the hardy laborer for the simple right of working to better his own condition in this branch of industry, which so often rewards his long years of honest toil with dross (instead of gold) and rags and poverty.

Adopted December 12, 1865.

J. H. MITCHELL,
President of the Senate.
I. R. MOORES,
Speaker of the House of Representatives.

STATE OF OREGON, DEPARTMENT OF STATE,
Salem, December, A. D. 1865.

I hereby certify that the foregoing is a true copy of a joint memorial passed by the legislative assembly of the State of Oregon at the special session held December, A. D. 1865.

Given under my hand and the seal of the State of Oregon, this 30th day of [SEAL.] December, A. D. 1865.

SAMUEL E. MAY, *Secretary of State.*

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 80.

VOLUNTEER MILITARY FORCE.

LETTER

FROM

THE SECRETARY OF WAR,

TO THE

Hon. Mr. Schenck, chairman of Committee on Military Affairs, relative to the state of the volunteer military force up to 28th of March.

APRIL 2, 1866.—Laid on the table and ordered to be printed.

WAR DEPARTMENT,
Washington City, March 31, 1866.

SIR: I have the honor to transmit herewith the Adjutant General's report of the state of the volunteer military force up to the 28th of March.

Very respectfully, sir, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

Hon. R. C. SCHENCK,
Chairman of Military Committee, House of Representatives.

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,
Washington, March 28, 1866.

SIR: I have the honor to submit the following summary exhibit in regard to the volunteer troops of the army of the United States, viz:

SUMMARY.

	White.	Colored.	Aggregate.
In service January 9, 1866. (This number is that recently communicated to the House of Representatives in answer to a resolution dated January 5, 1866)	57,590	65,766	123,356
In service March 10, 1866	27,171	39,814	66,985
Mustered out since January 9	30,419	25,952	56,371
Ordered mustered out since March 10	10,106	9,597	19,703
Total reductions made and ordered since January 9	40,525	35,549	76,074

The musters-out ordered will be mostly completed by May 1, (the work will be well advanced by April 10,) and there will then be left in service 17,065 white volunteers, and 30,217 colored. Total 47,282.

It is proper to add that the 17th regiment United States infantry has been ordered to Texas, and upon its arrival Major General Sheridan has been instructed to muster out all additional white volunteers in that department (there are now in service there 3,681 white—present and absent) that he can spare.

This contemplated reduction will be in addition to that referred to in the summary.

I am, sir, very respectfully, your obedient servant,

THOMAS M. VINCENT.
Assistant Adjutant General.

Hon. E. M. STANTON,
Secretary of War.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 81.

ADMISSION OF STATES IN REBELLION.

RESOLUTIONS

OF THE

LEGISLATURE OF NEW YORK,

RELATIVE TO

The terms and conditions upon which the States in rebellion should be admitted to representation in Congress, and national unity and peace.

APRIL 9, 1866.—Laid on the table and ordered to be printed.

STATE OF NEW YORK.

EXECUTIVE DEPARTMENT,
Albany, April 5, 1866.

SIR: I have the honor to transmit to you resolutions of the legislature of this State relative to the terms and conditions upon which the States in rebellion should be admitted to representation in Congress; also referring to the subject of national unity, freedom, and peace.

Very respectfully,

R. E. FENTON, *Governor.*

CONCURRENT RESOLUTIONS relative to the terms and conditions upon which the States in rebellion should be admitted to representation in Congress.

Resolved, That it is our mature and deliberate conviction that no State within which there has been insubordination or rebellion should be admitted to share in the national legislation until it presents itself, not only in an attitude of actual loyalty and harmony, but in the persons of representatives whose loyalty cannot be questioned, and that each house of Congress is the sole judge of the qualifications and election of its members, and has full power to determine for itself when the constituency or the representatives meet the conditions above set forth.

Resolved, That it is also our conviction that as the country was pledged in the beginning, and throughout the war against the rebellion, to a vigorous prosecution thereof, to the great and paramount end of the vindication of the national integrity and the re-establishment of the national government; that as it accepted during its progress, as a measure of war, just and constitutional at the time of its utterance, the President's proclamation of emancipation; that as it adopted at its close, as a measure of high national policy and justice, the con-

stitutional amendment, which not only by the organic law theoretically made freedom universal, but, quite as important, conferred upon Congress all the constitutional powers needful to establish and enforce universal freedom in practice and in fact; so the nation is pledged to the world, to humanity, and, most of all, to the freedmen, that, in all lawful ways, the liberty and civil rights of every human being subject to the government of the United States shall be protected and enforced, regardless of race, color, or condition, against every wrongful, opposing law, ordinance, regulation, custom, or prejudice, and that the spirit which formed, and organized, and developed to the present strength that policy has not fulfilled its allotted work until every subject of that government stands free not only, but equal, before the law.

Resolved, That we are in favor of the extension of equal suffrage in the District of Columbia to all male citizens of suitable age.

Resolved, That whatever difference as to detail may exist among the representatives of the people, whether executive or legislative, in the measures necessary to attain the great ends which peace, after so great a war, should yield, we also, in some mode its representatives, are not of the opinion that there should subsist such diversity of intention as to general results, or as to the method of attaining the same, as should produce hostility of attitude or the severance of political relations, but that mutual reconsideration of positions and adjustment of differing views will leave, in firm and productive alliance, the identical great purposes of all, to wit: the real peace and constitutional unity of all the States and the assured liberty of all the people.

SAFETY OF PASSENGERS BY STEAM-VESSELS.

[To accompany bill H. R. No. 477.]

APRIL 11, 1866.—Ordered to be printed.

Statement by the supervising inspectors of steamboats explaining the provisions of the accompanying bill.

To the Committee on Commerce, House of Representatives:

The following explanation of the several provisions of the bill "further to provide for the safety of the lives of passengers on board of vessels propelled in whole or in part by steam, to regulate the salaries of steamboat inspectors, and for other purposes," is by the board of supervising inspectors.

SECTION 1. This section is to prevent combinations of pilots and engineers on the western rivers from trammelling the commerce on those rivers, by means of the exclusive privilege conferred upon them by their license from the government.

Supported by these combinations, pilots refuse to act on steamers on which other pilots are employed who are not members of the pilots' association, or where apprentices are put on board steamers by the owners to learn the river. In the southwest they combine against pilots who served on government gunboats or transports during the war, to their exclusion from certain trades on the southwestern waters. They also, by means of this exclusive privilege, combine for the purpose of extorting exorbitant wages. Engineers frequently associate in the same manner and for similar purposes.

SEC. 2. The provision in this section for a large steam connexion between boilers set in nests or batteries is to furnish means by which the steam generated shall readily equalize in pressure in the several boilers, so that no such excess of pressure may exist in any one boiler of the battery as would expel the water from said boiler through the water-connecting pipe into the others, and thus lay bare the flues of that boiler to the action of the fire unprotected by water. The energetic action of the fire on tubular boilers, which contain but little water when compared with their heating surface, renders them extremely liable to this result. This fluctuation in the level of the water is continually observable in the operation of these boilers, as at present arranged on the western waters, and requires the most constant watchfulness of the engineer to keep them operating safely. The excess of pressure in one boiler over the others is, in general, the result of greater evaporation, caused by the fire under that boiler having for the time a greater intensity; and the differential pressure which must accumulate to drive off the excess of steam generated, through the steam-connexion or equalizing pipe, causes the depression of the water above spoken of—a difference of *four or five ounces* of pressure only, being sufficient to produce the direst disaster. Insufficient steam connexion between the boilers has been one fruitful primary cause of the explosion of boilers on the western rivers, and the adoption of this provision promises the most happy results.

The provision in this section, that the limit of working pressure allowed shall not exceed one hundred and fifty (150) pounds, is considered necessary for

safety; as, for higher pressures, the iron of the boiler shell requires, under the rule established by Congress, to be of so great a thickness that, in practice, it is found it will not withstand the direct action of the fire without liability to local injury—the development of which endangers the whole structure. There is no boiler at present in use on the western rivers on which is allowed a greater pressure than one hundred and fifty pounds; but, as the rule provided in the steamboat act of 1852 now stands, there is no means of preventing it if the boiler should be made of thicker plates.

The provision also in this section for the testing of boilers with water at one hundred degrees (100°) temperature, instead of sixty degrees, (60°,) as provided by the act of 1852, is desirable on account of the existing strong prejudice among many engineers against testing with cold water, as being injurious to boilers. The security, if tested with water at one hundred degrees, (100°,) is just the same, and is therefore recommended.

SEC. 3. The provision in this section for a safety valve to be taken wholly from the control of persons managing the steamer, is shown to have become necessary as a permanent requirement of law applying to all classes of steamers. The substitution of plugs or rivets of pure tin for alloyed metals inserted in the flues also promises much greater safety than any other device of this nature. The alloyed metals were intended to guard against accident, either from scarcity of water or excessive pressure, but have failed utterly in securing either result, from various and inherent causes. The tin plug is intended to provide against disaster from an insufficiency of water only, which we are satisfied it will accomplish in the most certain manner; while the locked safety valve provided for will guard against excessive pressure. Tin is a simple metal, little liable to oxidation, and *fuses* at a temperature *below that at which iron assumes its maximum strength*, and is, therefore, well adapted to prevent the flues of boilers from being heated injuriously, when properly applied. It is also necessary, as provided in this section, that each boiler shall have an independent water gauge to indicate any derangement of the water in the several boilers, from causes explained under section 2.

SEC. 4. This section provides a limit to the thickness of the iron plates to be used in the construction of boilers to which the heat is applied on the outside of the shell, and will prevent, in a great measure, serious evils which arise when iron is employed having a greater thickness than that specified. When iron of great thickness is employed, the intensity of the heat applied causes it to blister and crack; which difficulty is increased if there is a deposit of scale or sediment in the boiler; the water being so far removed from the surface on which the fire is acting, its cooling influence is not transmitted so effectually as when thinner boiler plates are employed. We have the strongest evidence that an increase of the thickness of the iron of that class of boilers used on the western rivers does not give a corresponding increase of strength, and all the boilers which have exploded lately on those waters were made of iron of a thickness exceeding that provided in this section. In limiting the thickness of iron to be employed, the rule established by Congress in the act of 1852 is in nowise changed; 110 pounds pressure on a 42 inch boiler made of plates one-fourth of an inch in thickness will still be allowed; and in that proportion up to three-tenths of an inch in thickness; but if a higher pressure should be desired, the boiler would have to be made a little smaller in diameter, so that in no case will the tensile strain to which the iron of the boiler is subjected by the working pressure allowed exceed that now allowed by law.

The specified minimum space to be left between flues is to provide the necessary room for water and for cleaning the boilers and will in effect also prevent the building of tubular boilers for use on the waters named, the employment of which has already resulted in such fearful calamity.

The provision that steamers hereafter built shall have the water connexion

between the boilers divided, is to prevent the water from running from the upper to the lower boilers of the battery when the vessel is careened from any cause whatever, which would cause a deficiency of water in the upper boilers.

SEC. 5. Contains provisions for the prevention of fire, which experience has shown to be necessary.

SEC. 6. Is to prohibit tugs and other steamers, not required to provide life-saving apparatus for passengers, from taking passenger barges in tow on excursions, with hundreds of women and children on board, subjecting them to all the dangers incident to steam navigation, without making suitable provision for their safety in case of accident.

SEC. 7. To include freight boats in the same category with tug, ferry, and canal boats, as provided in the act of June 8, 1864.

SEC 8. To prevent corruption in the office of inspectors of steamboats, or bias in the performance of their duties.

SEC. 9. Provides that all vessels on the waters of the United States shall be subject to the navigation laws provided by acts of Congress; and that steamers shall be further subject to the rules for passing, established pursuant to law by the Board of Supervising Inspectors. It is considered necessary and proper that all vessels shall be made to conform to general regulations established for the safety of navigation on all waters used as common highways of commeree.

SEC. 10. Provides disengaging apparatus for life-boats, so that they may be cleared from the vessel with greater facility after being lowered into the water, to prevent their being dashed to pieces against the vessel or swamped alongside.

SEC. 11. To provide signal-lights for certain classes of steamers, better adapted to rivers and other inland waters than any plan of bow-lights applicable to vessels rigged for carrying sail, as the course of a rapidly approaching steamer may be more readily and certainly determined thereby. Before the passage of the act of April 29, 1864, the plan of bow-lights provided in that act was used on sea-going steamers exclusively, and was in fact the only plan suitable for vessels rigged for carrying sail, which was the reason for its being so arranged; but for river navigation it is entirely unsuited, on account of the continually changing courses and positions assumed in following crooked channels, not being indicated with sufficient accuracy for the purposes of close navigation. For thirty years at least prior to the passage of the act of April 29, 1864, the system of signals proposed in this bill has been employed on some of our inland waters, and we are satisfied that an enforcement of the present law on our rivers and other inland waters will work the greatest mischief, instead of rendering the navigation more safe, as contemplated. So important is this matter to the safety of our internal navigation that owners of steamers cannot be induced to conform to the present requiremenis of law, but prefer to pay any penalty that may be imposed rather than hazard the safety of their vessels.

SECS. 12 and 13. Relate to the compensation of inspectors; and for explanation of the pressing necessity for the early attention of Congress to this matter, to save the acts relating to steam vessels from becoming completely ineffective for the objects for which they were enacted, we beg to refer to the memorial of the Board of Supervising Inspectors, appended hereto, showing the amount of duty performed, the receipts and expenditures under the law, &c.

Memorial of the Board of Supervising Inspectors of Steamboats, appointed by authority of an act of Congress, entitled "An act to amend an act entitled 'An Act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam, and for other purposes,'" approved August 30, 1852, on the subject of compensation paid to inspectors.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

The memorial of the Board of Supervising Inspectors of Steamboats respectfully represents: That this board, intrusted by Congress with the execution of the above-named act, with a single aim to secure fully the benefits which should follow a faithful observance of its provisions, have devoted all their energies for the past thirteen years, but have labored under disadvantages and embarrassments, which we now pray your honorable bodies may be removed by suitable additional legislation.

We feel it to be a solemn duty we owe to Congress, as a board created in its wisdom to superintend this important public service, to lay before it a statement of the embarrassments complained of, a continuation of which threatens the most disastrous consequences, and beg that they will be received as prompted solely by a sincere desire for the public safety.

To execute this important law, Congress provided a body of officers whose special duty it was made to carefully inspect all passenger steamers, at least once in each year, and compel compliance with its provisions; to visit such vessels arriving and departing, to see that they were kept conformable to and managed according to law; to license engineers and pilots of such vessels, and keep a watch over the conduct of those officers; to investigate the cause of explosions and other disasters, with power to punish delinquents, &c.

One of the principal defects in this law, and that which it is important shall be speedily remedied, is the insufficiency of compensation provided for these officers; which has been more destructive to the best hopes of the friends of the enactment than all the deficiencies of requirement, the correction of which this board, in reports to the honorable Secretary of the Treasury, has from time to time recommended.

The public duty performed by inspectors has much more than doubled since the act of 1852 was passed, by which these officers were created, while the allowed compensation now remains as at first established; and while the increased duties require in most cases the exclusive attention of inspectors, it will be seen by an examination of the various salaries now paid to inspectors, (ranging from two hundred to two thousand dollars,) it was evidently contemplated by Congress that generally but an insignificant portion of their time would have to be devoted to the official duties with which they were charged, and that they could, without prejudice to the public interests, seek for support mainly or partially in some private occupation.

In some cases this anticipation was verified, while in many others the imposed public service had been much underestimated; and in cases where the salary of a local board of inspectors was fixed at too low a rate for the time which should be devoted to the duties of the office, the public service has correspondingly suffered.

This difficulty, at first comparatively trifling, has been seriously augmented by the rapid and steady increase of our steam marine, and more lately, in an overwhelming degree, by the passage of an act of Congress, approved June 8, 1864, requiring steam ferry, freight, tug and canal boats to be inspected by these officers, under the act of August 30, 1852. And while it is true that all of the official duties of inspectors, as specified in the law, have been performed, at east so fully as to keep commerce untrammelled, yet there is a great difference

between simply performing an act and doing it well and effectively; and, from necessity, the visitation of vessels arriving and departing has at many ports been almost wholly abandoned.

We need not urge that this continued intermediate examination, between annual inspections, is of the most vital importance in obtaining the contemplated security; and if inspectors are enabled to prosecute this part of their duty with zeal, we have no hesitancy in saying that it will be productive of a marked change in the record of casualties annually reported. This can only be done by giving these officers remunerative compensation, such as will preclude the necessity of their seeking to eke out by private enterprises a scanty compensation obtained for official services.

The amount of writing to be performed in some of the local offices renders it absolutely necessary that they be allowed the aid of a clerk, at moderate compensation. We will instance the New York local office, (with four inspectors,) which has issued, during the past year, certificates to 526 steamers, and licenses to 1,271 pilots and engineers, and a record of these has been kept, which, together with the correspondence of the board, requires more than the constant labor of one of the inspectors, whose time may be far more profitably employed than in performing service which does not require his professional skill. At New Orleans also, there is more duty than this board can accomplish well without the aid we recommend.

The secretary of the Board of Supervising Inspectors has also so large an amount of writing to perform as to monopolize the greater portion of his time, and it is necessary that he be provided with a clerk, who shall also accompany him in attending the annual meetings of the supervising board, and thereby avoid the usual expenses for clerk-hire at such meetings. These are all that are at present required.

Statement showing the great amount of labor performed by inspectors in 1865, *as compared with that performed in* 1853, *in view of which the compensation of inspectors was fixed by the act of August* 30, 1852.

	1853.	1865.
Number of steamers inspected	962	2,328
Tonnage of same	357,968	767,321
Engineers and pilots licensed	4,480	8,578

Receipts for inspections under the steamboat acts for the year ending September 30, 1865.

Total number of steamers inspected, 2,328, all of 100 tons or less, being chargeable at the rate of $25 each	$58,200
Surplus tonnage, (after allowing 100 tons for each steamer as above,) chargeable at the rate of 5 cents a ton	26,726
Engineers and pilots licensed, at $10 each	85,780
Total receipts	170,706

This method of computation will hardly give the full amount of receipts, but nearly.

Cost of executing the law as proposed by the accompanying bill, prepared by the Board of Supervising Inspectors.

Salaries of local inspectors	$74,000
Salaries of supervising inspectors	20,500
Travelling expenses of inspectors	15,500
Three clerks (salaries)	3,000
Printing and stationery	4,500
Total	117,500

RECAPITULATION.

Total receipts	$170,706
Total cost	117,500
Balance of clear revenue	53,206

T. B. STILLMAN,
President Board of Supervising Inspectors.
JAMES N. MULLER, *Secretary.*

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 83.

CIVIL RIGHTS BILL.

RESOLUTION

OF THE

LEGISLATURE OF NEW YORK,

RELATIVE TO

The Civil Rights bill before Congress.

APRIL 11, 1866.—Laid on the table and ordered to be printed.

STATE OF NEW YORK.

IN ASSEMBLY, *Albany, April* 9, 1866.

DEAR SIR: The following preamble and resolution was this day duly passed:

Whereas, in the judgment of this house, the "Civil Rights Bill" should become a law: Therefore,

Resolved, That the action thereon by our senators in Congress, on the 6th instant, is approved, and our representatives in Congress are respectfully but earnestly requested to vote for said bill, notwithstanding the veto of the President.

By order of the assembly:

J. B. CUSHMAN, *Clerk*.

CIVIL RIGHTS BILL.

RESOLUTIONS

OF THE

LEGISLATURE OF NEW YORK,

RELATIVE TO

The veto of the civil rights bill.

APRIL 9, 1866.—Laid on the table and ordered to be printed.

STATE OF NEW YORK, IN SENATE,
Albany, April 4, 1866.

On motion of Mr. Low,

Resolved, That the senate has learned with regret of the veto of that just and humane measure known as the civil rights bill, and that our senators and representatives in Congress are respectfully but earnestly requested to secure, by their votes and influence, the passage of said bill, notwithstanding the objections of the President.

Resolved, That the clerk transmit a copy of the foregoing resolution to each of our senators in Congress and to the Speaker of the House of Representatives.

By order of the senate:

JAS. TERWILLIGER,
Secretary.

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 85.

DUTY ON WOOL.

RESOLUTIONS

OF

THE LEGISLATURE OF OHIO,

ASKING

An additional duty on wool.

APRIL 10, 1866.—Referred to the Committee of Ways and Means and ordered to be printed.

STATE OF OHIO, EXECUTIVE DEPARTMENT,
Columbus, April 6, 1866.

SIR: I have the honor to transmit joint resolution No. 55, adopted by the general assembly March 9, 1866, respecting the duty on imported wools, and urging the passage of a law by Congress which shall secure to the American wool-grower the same protection against competition that is now insured to the manufacturers of either pure or mixed woollen goods.

Very respectfully,

W. T. COGGESHALL, *Secretary.*

Hon. E. R. ECKLEY.

JOINT RESOLUTIONS relative to increasing the duty on imported wools.

Whereas sound policy dictates that every independent government should develop to the fullest extent all its industrial resources, and not be dependent upon any other government, whether foreign or adjacent, for any industrial productions; and

Whereas under many foreign governments populations have become so dense as to reduce the price of labor to a minimum standard, and therefore are enabled to compete successfully in the United States market on almost all descriptions of manufactured articles, and especially clothing; and

Whereas American manufactures of clothing materials are never offered in American markets for a sum or at a rate less than the invoice price of foreign manufactures of the same quality and the custom dues or duty added; and

Whereas wool-growing is an industrial pursuit requiring a large capital, great experience, skill, and care, and, as the statutes at large now stand, the American wool-growers are compelled to compete with countries where lands are of a nominal value only, and the price of labor at a reduced minimum: Therefore,

Resolved by the general assembly of the State of Ohio, That our senators in the United States Congress are respectfully instructed, and our representatives requested, to secure the passage of such a law as shall secure to the American wool-grower the same protection against foreign competition that is now insured to the manufacturer of either pure or mixed woollen goods.

Resolved, That the governor be directed to forward a copy of the above resolution to each of our senators and members of Congress.

ED. A. PARROTT,
Speaker of the House of Representatives.
ANDREW G. McBURNEY,
President of the Senate.

MARCH 9, 1866.

OFFICE SECRETARY OF STATE,
Columbus, Ohio, March 30, 1866.

I, William Henry Smith, secretary of state of the State of Ohio, do hereby certify that the foregoing is truly taken and correctly copied from the original roll on file in this office.

WILLIAM HENRY SMITH,
Secretary of State.

INCREASE OF PAY TO OFFICERS OF THE NAVY.

RESOLUTIONS

OF THE

LEGISLATURE OF NEW JERSEY,

ASKING

For increase of pay to officers of the navy.

APRIL 16, 1866.—Referred to the Committee on Naval Affairs and ordered to be printed.

STATE OF NEW JERSEY,
Senate Chamber, April 5, 1866.

Whereas the cost of the necessaries of life, of food, clothing, and rents, have increased to double, and in many cases triple what they were a few years before the war of the rebellion; and whereas the pay of the officers of the navy has been otherwise reduced by taxation, by act of Congress and by executive orders, and knowing the salaries of naval officers to be by no means adequate to the expenses which their position in society, at home and abroad, requires, and since the officers of the navy have no political representation in the country or in the government, and since the nation can well afford to place this deserving class of the country's defenders, whose record is one of heroic self-sacrifice and of patriotic devotion, above the reach of want or embarrassment: Therefore,

Resolved, That the Congress of the United States be requested by us, as they have been requested by the legislatures of other States, to increase the salaries of naval officers to a point adequate to the increased expense of the times, as suggested by their memorial now before Congress; and

Resolved, That a copy of this preamble and resolutions be sent to our senators and representatives in Congress, with the request that they will bring the just claims of the navy before Congress as speedily as possible.

SENATE CHAMBER, *April 6*, 1866.

The above concurrent resolutions originated in the senate and were passed by the senate and general assembly.

E. R. BORDEN,
Secretary of Senate.

TAXING NATIONAL CURRENCY, ETC.

RESOLUTIONS

OF THE

LEGISLATURE OF OHIO,

RELATIVE TO

Permission to tax national currency, &c.

APRIL 16, 1866.—Referred to the Committee of Ways and Means and ordered to be printed.

JOINT RESOLUTIONS relative to exemptions from taxation.

Resolved by the general assembly of the State of Ohio, That our senators and representatives in Congress be requested to procure, if possible, such modification of the laws of Congress now in force as shall clearly leave subject to State taxation national currency and all other obligations and securities of the United States not exempted from such taxation by a subsisting contract with the holder thereof.

Resolved, That the governor be, and he is hereby, requested to forward a copy of the foregoing resolution to each of our senators and representatives in Congress, to the Secretary of the Treasury, and to the Comptroller of the Currency of the United States.

ED. A. PARROTT,
Speaker of the House of Representatives.
ANDREW G. McBURNEY,
President of the Senate.

APRIL 6, 1866.

STATE OF OHIO, EXECUTIVE DEPARTMENT,
Columbus, April 12, 1866.

SIR: I have the honor to transmit joint resolutions, passed by the general assembly April 6, 1866, asking such modification of the laws of Congress as shall clearly leave subject to State taxation national currency and all other obligations and securities of the United States not exempt by contract with holders.

Very respectfully,

W. T. COGGESHALL,
Secretary.

Hon. TOBIAS A. PLANTZ.

OFFICE SECRETARY OF STATE,
Columbus, Ohio, April 6, 1866.

I, William Henry Smith, secretary of state of Ohio, do hereby certify that the foregoing resolution is truly taken and correctly copied from the original roll on file in this office.

WM. HENRY SMITH,
Secretary of State.

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 88.

SOUTHERN BRANCH OF PACIFIC RAILROAD.

RESOLUTIONS

OF THE

CONVENTION OF TEXAS,

IN FAVOR OF

A southern branch of the Pacific railroad.

APRIL 18, 1866.—Referred to the Committee on the Pacific Railroad and ordered to be printed.

Whereas the State of Texas possesses an area of one hundred and seventy-five million five hundred and ninety-four thousand acres of land, (very little of which is not adapted to agricultural or pasturage purposes,) through which her enterprising citizens have in contemplation a network of railroads, four hundred and sixty miles being now in running order, one of which roads commences at the eastern boundary of the State, running west to Houston, and there connecting with others extending to Galveston, to Columbia, on the Brazos, to the river Colorado, at Columbus, to Brenham, and on the line known as the Central railroad, extending to the distance of one hundred and forty miles from the port of Galveston, none of which railroads have any present connexion with those of other States.

Whereas the convention of Texas, now assembled at Austin, has assurances that there is now in course of construction, from St. Louis, in the State of Missouri, the Southwest Branch railroad to the Indian territory; also, that the Leavenworth, Lawrence, and Port Gibson railroad is being built south to the north line of the Indian Territory, connecting with the Union Pacific railroad.

And whereas we regard the construction of a railroad from the north to the south line of the Indian territory, connecting with these and Texas railroads and navigable streams of the south, not only as entirely practical but imperative in developing the vast resources of the territory embraced in this system of roads, and as an important means of bringing into intimate, harmonious, and advantageous relations the people of the section embracing these roads, not only with each other, but with those of the remainder of the United States: Therefore,

Resolved, That the convention of the State of Texas respectfully recommend to the Congress of the United States to adopt such measures as that honorable body may deem expedient to cause a south branch to the Union Pacific railroad to be immediately constructed through the Indian territory, in the same manner in which the Union Pacific road is now being built.

And be it further resolved, That a copy of these resolutions be immediately transmitted to the President of the Senate and Speaker of the House of Representatives of the Congress of the United States.

WM. M. TAYLOR,
President pro tem.

I certify that the above resolutions passed the convention of the people of Texas on the 21st of March, 1866.

LEIGH CHALMERS,
Secretary of the Convention.

STATE DEPARTMENT,
Austin, Texas, March 28, 1866.

I, James H. Bell, secretary of state of the State of Texas, do hereby certify that the above and foregoing is a true and correct copy of a preamble and resolutions passed by the State convention now in session at the State capital, as the same is on file in this department.

[SEAL.] In testimony whereof, I hereto sign my name and affix the seal of state the day and date above written.

JAMES H. BELL,
Secretary of State.

EQUALIZATION OF BOUNTIES.

RESOLUTIONS

OF THE

LEGISLATURE OF PENNSYLVANIA,

INSTRUCTING

The senators and representatives in Congress from Pennsylvania to advocate and vote for a measure that will equalize bounties, &c.

APRIL 19, 1866.—Laid on the table and ordered to be printed.

JOINT RESOLUTIONS instructing the senators and representatives in Congress from Pennsylvania relative to the equalization of bounties.

Whereas there is eminent justice in the petitions and desires of a large majority of the late soldiers and sailors in the war to suppress rebellion that the general government shall equalize, by appropriate legislation, as far as possible, the bounties paid at different times during the war to secure enlistments;

And whereas it is believed this equalization can be done without too largely increasing the public burdens, and it is proper that Pennsylvania, always contributing so promptly and liberally of her citizens and her resources to save the nation's life, should formally express her wishes and desires on so just a measure: Therefore,

Be it resolved by the senate and house of representatives of the Commonwealth of Pennsylvania in general assembly met, That our senators and representatives in Congress be instructed, and they are hereby requested, to advocate, and vote for, a measure that will equalize the bounties paid by the general government at different times among the late soldiers and sailors in the war against rebellion, adopting, in such equalization, the principle of paying those enlisted men who have been honorably discharged the service eight and one-third dollars per month for the time actually served, deducting therefrom the amount of bounty they have already received from the general government, so that the amount to be paid, with that already received, shall in no case exceed the rate of eight and one-third dollars per month for the time actually served; that no bounty whatever in this measure for equalization should be paid to those soldiers and sailors whose term of enlistment was for a less period than six months; nor to those who deserted the service; nor to those who have been discharged before the expiration of their term of enlistment, at their own request, except for the purpose of re-enlistment or accepting promotion, where such promotion has been subsequently received, unless from disability; nor to those who were prisoners of war from the rebel armies at the date of their enlistment; nor to those who have sold and disposed of in any way for gain their

final discharge papers, or any interest in any bounty provided for by any act of Congress; that where a soldier or sailor who would be entitled to the bounty above proposed is dead, the same shall be paid to that class of his personal representatives who are entitled to receive pensions under the present laws.

Resolved, That Congress should provide for the payment of the bounties above proposed by authorizing the issuing of United States five per cent. bonds, payable within a reasonable period out of a fund to be raised by a tax on the cotton-growing interest of the country, and out of the proceeds of the public lands; giving, however, to the person entitled to the bounty the privilege to receive the whole or a part of the same in land warrants, at a specified price, not exceeding seventy-five cents per acre.

Resolved, That in the measure hereby recommended for the equalization of bounties, the persons entitled to the same, and the government, should be fully protected against the frauds, impositions, and exactions of unscrupulous speculators and claim agents.

Resolved, That his excellency the governor be requested to forward a copy of these resolutions to our senators and representatives in Congress.

JAMES R. KELLEY,
Speaker of the House of Representatives.
DAVID FLEMING,
Speaker of the Senate.

Approved the twelfth day of April, anno Domini one thousand eight hundred and sixty-six.

A. G. CURTIN.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, April 16, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a full, true, and correct copy of the original act of the general assembly entitled "Joint resolution instructing the senators and representatives in Congress from Pennsylvania relative to the equalization of bounties," as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand, and caused the [L. S.] seal of the secretary's office to be affixed, the day and year above written.

ELI SLIFER,
Secretary of the Commonwealth.

ARMY POST CHAPLAINS.

RESOLUTION

PASSED BY THE

LEGISLATURE OF PENNSYLVANIA,

INSTRUCTING

Their representatives in Congress to vote for and use their influence to secure the passage of an act to increase the number of army post chaplains sufficiently to meet the increased wants of the regular army of the United States.

APRIL 19, 1866.—Laid on the table and ordered to be printed.

JOINT RESOLUTION relative to post chaplains in the United States army.

Whereas the number of army post chaplains was limited to thirty many years ago, under a peace establishment; and whereas the number of men in the national service has been largely increased:

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in general assembly met, That our representatives in Congress be requested to vote for, and use their influence to secure the passage of an act to increase the number of army post chaplains, sufficiently to meet the increased wants of the regular army of the United States.

JAMES R. KELLEY,
Speaker of the House of Representatives.
DAVID FLEMING,
Speaker of the Senate.

Approved the twelfth day of April, anno Domini one thousand eight hundred and sixty-six.

A. G. CURTIN.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, April 16, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a full, true, and correct copy of the original act of the general assembly, entitled "joint resolution relative to post chaplains in the United States army," as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and caused the seal of the secretary's office to be affixed, the day and year above written.

[L. S.]

ELI SLIFER,
Secretary of the Commonwealth.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 91.

WINNEBAGO AND SUPERIOR RAILROAD.

MEMORIAL

OF THE

LEGISLATURE OF WISCONSIN,

ASKING

For a grant of land to aid in the construction of so much of the Winnebago and Superior railroad as extends from Doty's island to Stevens's Point.

APRIL 20, 1866.—Referred to the Committee on Public Lands and ordered to be printed.

MEMORIAL to Congress for a grant of land to aid in the construction of so much of the Winnebago and Superior railroad as extends from Doty's island to Stevens's Point.

To the honorable the Senate and House of Representatives of the United States:

The memorial of the legislature of the State of Wisconsin respectfully represents, that in providing for the disposal of the public lands granted to the State of Wisconsin, by the third section of an act of Congress, entitled "An act granting lands to aid in the construction of certain railroads in the State of Wisconsin," approved May 5, 1864, and providing for their application to the construction of a railroad as in said act of Congress directed, the legislature have deemed it expedient and greatly for the interest of the proposed railroad, and the portion of the State through which it is intended to run, as well as for the interest of the State at large, to authorize and require the Winnebago and Superior Railroad Company, which company is charged with the duty of constructing the said land grant road, to construct a railroad from Doty's island, in Winnebago county, to a point of connexion with the main line of said road running from Portage, at and in the city of Stevens's Point, Portage county; that the line of road so authorized and required to be constructed is about forty miles in length, and will add greatly to the value and usefulness of the main line of said road.

Your memorialists, therefore, pray for the passage of an act so amending the said act of Congress as to grant to and confer upon the said Winnebago and Superior Railroad Company an equal grant of lands, mile for mile, to aid in and to be applied to the construction of the said railroad from Doty's island to Stevens's Point, as is granted by the said act of Congress for the construction of the said railroad from the city of Portage to Bayfield and Superior.

And your memorialists will ever pray, &c.

HENRY D. BARRON,
Speaker of the Assembly.
WYMAN SPOONER,
President of the Senate.

Approved April 9, 1866.

LUCIUS FAIRCHILD,
Governor.

STATE OF WISCONSIN, *Secretary's Office, ss:*

The secretary of state of the State of Wisconsin hereby certifies that the foregoing has been compared with the original memorial deposited in this office, and that the same is a true and correct copy thereof, and of the whole of such original.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State at the capitol, in Madison, this sixteenth day of April, A. D. 1866.

[SEAL.]

THOMAS S. ALLEN,
Secretary of State.

BOYD vs. KELSO.

EVIDENCE

IN THE

CONTESTED ELECTION CASE OF BOYD VS. KELSO.

APRIL 19, 1866.—Ordered to be printed.

A.

SPRINGFIELD, MISSOURI, *March* 24, 1865.

SIR: On the 9th day of January I served a notice on you that I would contest your right to a seat as a representative from the fourth congressional district of Missouri in the House of Representatives, for which you hold a certificate, which seat you claim by virtue of an election held on the eighth day of November, A. D. 1864. In the notice referred to I stated I could not at that time state the names of the voters voting at that election who voted illegally.

I now inform you that the whole vote given at Newtonia, Newton county, Missouri, was illegal, and should be rejected. The vote at that precinct was not by ballot, as required by law. The voters were not sworn as required by law; and minors voted at that precinct; and men voted there who had no legal right to vote there, and referred to in the 6th reason for contesting your right to the seat.

I will give you a list of all these voters as soon as possible to obtain them.

I am, sir, very respectfully, your obedient servant,

S. H. BOYD.

Hon. JOHN R. KELSO.

Executed the within in Greene county, Missouri, by delivering a true copy of this at the house of John R. Kelso, to his wife, a free white person over the age of fifteen years. Done this March 30th, 1865.

J. A. PATTERSON, *Sheriff*,
By E. WHITE, *Deputy Sheriff*.

Sheriff White's fees 75.

To JOHN R. KELSO: You will please take notice that I shall contest your right to a seat as a representative of the fourth congressional district of the State of Missouri in the House of Representatives of the United States, for which you hold a certificate, which seat you claim by virtue of an election held on the eighth day of November, anno Domini 1864.

1. I contend that at least four hundred illegal votes were cast for you at the

various precincts and localities, to me not sufficiently known to designate precisely either by name or by their locality, in the counties of Barry, McDonald, Newton, and Jasper, a part of said district, the names of such illegal voters not in my possession, and impossible, at this time, for me to obtain.

2. I contend that the elections said to be holden in said counties mentioned, as well as the votes returned from said counties, are illegal and fraudulent, and should be rejected.

3. I contend that at the Cassville precinct, in said district, persons voted who were non-residents of the State or district; minors under twenty-one years of age; that the election oath prescribed by existing law was not administered to persons who voted, as it is required to be and should have been; that the votes of persons voting were not received by ballots, as should have been, as required by law. At said precinct a large number of votes were given for you—two hundred, according to my information, and which I assume to be true.

4. That the returns of the voting at said precinct, Cassville, were improperly certified and returned to an officer by an officer, neither of whom was authorized by law to make said returns or to receive them; that the election returns from said precincts, as well as the entire vote in said county of Barry, in said district, for the causes mentioned, and for many other irregularities, informalities and illegalities, should be rejected.

5. I contend that the votes cast for you in the county of McDonald, in the fourth congressional district of Missouri, about ninety-six, as is reported to me, and which I assume to be true, being the entire vote of said county, polled at some locality not yet made known to me, and cannot herein be designated, were illegal, fraudulent, and should be rejected. The election was not held according to any law known in the State of Missouri. Unauthorized voters, non-residents of said county, minors under twenty-one years, conducted said election, and voted contrary to and in violation of the existing election law in said State; that the law requires elections in the said county of McDonald to be by ballot, and the said election was not so held; that the election oath required by law to be administered to persons who voted at said elections was not administered; that the votes were not canvassed by an officer or officers authorized by law to canvass the same; that the returns were not properly certified by an authorized officer, nor were the returns of said election made to an officer authorized by law to receive them; and for these irregularities, informalities, and illegalities, you are not entitled to the full vote of said county, (ninety-six,) nor any part thereof, but they should be rejected.

6. That for the same illegalities in the election returns from the various precincts in Barry and McDonald counties, you should not be entitled to and receive about two hundred votes, nor any part of them, given to you in Newton county, in the said district; that the election in said county was illegal and fraudulent, being held and conducted in violation of the law governing elections in the State of Missouri; that the county of Newton had no county officers, nor any officer authorized by the existing law of the State to hold or conduct elections therein on the eighth day of November, 1864; that said county of Newton, in said district, was, to all intents and purposes, a disorganized and depopulated county, and that no election was held in said county at the precincts of Neosho, Newtonia, or Granby, or any other locality in said county, in obedience to and conformity with the existing law of the State of Missouri. That the election returns from the county of Newton were not certified by an officer authorized by law, nor were the returns aforesaid made to an officer authorized by law to receive them. That persons voted in said Newton county election without taking the prescribed election oath as required by law, and that the said election was not held by ballot, as it should have been; that persons other than residents of Newton county voted at said election, when they should not. The names of these persons I am now unable to give. Minors under twenty-

one years of age voted at said election, and persons who had not been citizens of the State one year or residents of the district three months prior to said election voted at said election. Soldiers of the United States army voted at said election, when they should not; and for these and other causes the entire vote of Newton county must be rejected as a part of the vote you received.

7. I contend that the election held by persons claiming to be citizens of Jasper county, in said district, is illegal, and that you are not entitled to the fifty votes given at said election place in said district; that the said election was not held in accordance with the enabling act of the Missouri legislature and convention authorizing elections to be held in disorganized counties in said State; voters did not take the prescribed oath before voting at said election; minors under twenty-one years of age voted, contrary to law. The election was not held and conducted by citizens of Jasper county; persons voted who had not been residents of said county one year previous to said election. The persons holding the election did not, as required by existing law enabling disorganized counties to vote and hold elections, go to the county seat of said county within the time required by existing law to count, canvass, and cast up said votes, as they should have done. The returns of said election were not properly certified and returned to an officer authorized by law to receive them, as they should have been. The names of the persons thus voting illegally in said election in said county I cannot give you, as I have no means of obtaining them at this time. For these and other causes the entire vote of Jasper county, in said district, should be rejected, and the fifty votes received by you at said election you are not entitled to, nor any part thereof.

8. I contend that a company of the 2d regiment Missouri artillery, (Colonel Cole,) commanded by Captain Stephen Julian, stationed at St. Louis, Missouri, as I am informed, voted one hundred and thirty-four votes for you; that fifty of said votes, if not a greater number, were illegal, and should be rejected. Minors, under twenty-one years of age, voted for you when they were not entitled to vote at said county election. Persons non-residents of the district, belonging to said company, voted; others not belonging to said company voted with it. The returns of said election were improperly certified, for which informality, together with others, I demand its rejection. The names of said voters are not now in my possession, nor can I obtain them at this time.

9. I contend that several hundred illegal votes were cast for you at said elections by persons not residents of said district for three months prior to said election; nor had said voters been citizens of the State of Missouri for twelve months previous to said election, as required by law; that many of said voters were in the army and were refugees from other States and Territories, and many of said voters were not twenty-one years of age, whose names are not now known to me, and which it is impossible at this time for me to obtain.

10. I claim a majority over you of three hundred and ninety four votes polled at Dadeville and Greenfield precincts, in the county of Dade, in said district, instead of a majority of one hundred and one votes, as reported. I also claim eighty-seven votes majority over you of the entire legal vote of Polk county, in said district, which said majorities are withheld from me by officers either of said counties or the secretary of state, without good cause for doing so, and which I contend for.

11. I claim to be elected by the legal votes of the fourth congressional district of the State of Missouri, and am therefore entitled to the seat, having received the greatest number of legal votes polled at said election, and do contend for it, &c.

12. I claim a great many votes were illegally taken and certified to the various counties, and illegally included when the votes of the respective counties were cast up and certified to the secretary of state, the names of which voters I cannot now give.

S. H. BOYD.

I, William G. Bulgin, state that on the eighth day of January, 1865, at Springfield, Missouri, I delivered to the wife of John R. Kelso a document at the residence of the said Kelso, of which the within is a copy.

W. G. BULGIN.

STATE OF MISSOURI, *Greene County, ss:*

Personally came W. G. Bulgin and made oath to and subscribed the foregoing affidavit this 11th day of January, 1865, before me.

[SEAL.] J. C. WILBER, *Notary Public.*

I, W. P. Cox, state that on the ninth day of January, 1865, at Neosho, Missouri, I delivered to John R. Kelso a document, of which the within is a true and perfect copy.

W. P. COX.

STATE OF MISSOURI, *County of Greene:*

Sworn to and subscribed before me this 22d day of November, 1865.

JOHN W. LISENBY, *Clerk.*

SPRINGFIELD, MISSOURI, *March* 21, 1865.

On the ninth of January I served a notice on you that I would contest your right to a seat as a representative from the 4th congressional district of Missouri in the House of Representatives of the United States, for which you hold a certificate, which seat you claim by virtue of an election held on the 8th day of November, 1864. In the notice referred to I stated I could not at that time state the names of the voters voting at that election who voted illegally. I now herewith hand you the names of the following:

List of illegal votes cast at Neosho by men claiming to be the qualified voters of company M, 8th regiment cavalry, Missouri State militia, and referred to in the fourth, second, sixth, and twelfth reasons assigned for contesting your right to the seat. These names were returned on a military poll-book, to Barry county, and also to Greene county and Dallas county, counted in all those counties. These votes were improperly returned—illegally returned—to Barry, Dallas, and Greene counties, and returned to officers unauthorized to receive them, and illegally counted and cast up in said counties, and illegally certified to the secretary of state. The election by this company was illegally held and conducted. The following are the names:

Thomas C. Crabtree, Elisha Walker, Lemuel Estes, John W. Crawford, James Short, Franklin Haddock, Elias Chapman, Mark B. Evans, Benjamin Kerr, Edley Wolfe, John C. Doss, William G. Hutcheson, William A. Berry, Enos Hilton, Lafayette Hayes, Peter T. Hutchison, William S. Perryman, Joseph McConnel, Joseph Randleman, Marshal J. Lovan.

All of the above voted for you but one, and all were counted in casting up the votes in Greene, Barry, and Dallas counties.

List of votes illegally cast at Neosho, Newton county, by men claiming to be qualified voters of company H, 8th regiment cavalry, Missouri State militia, and referred to in the second, fourth, sixth, and twelfth reasons assigned for contesting your right to a seat. These names were illegally returned on a military poll-book to Greene, Wright, Webster, and Polk counties, and were illegally counted in casting up the vote in all those counties, and illegally certified to the secretary of state. The election by this company was illegally held and counted. The names are as follows:

George W. Jones, Thomas Brixy, Jesse E. Riggs, John Day, John W. Braswell, John A. Sartin, John Amick, Robert W. Hardin, Aaron E. Allen, Robert Hurt, John Berry, Joseph G. Matney, John W. Glenn, John Prock, William R. Crisp, Daniel Lawhorn, Alfred Sterns, John H. Crisp, Benjamin Denny, Elijah Matney, William Lawhorn, Alfred Sterns, John H. Crisp, Benjamin Denny, Elijah Matney, William J. Lawhorn, William H. Herndon, M. F. Holder, William H. Sloan, Thomas J. Saxton.

All of the above voted for you, and all were illegally counted in casting up the votes in Greene, Webster, Wright, and Polk counties, and were illegally certified to the secretary of state from all those counties.

List of votes illegally cast at the precinct in Pond Creek township, Greene county. The men who cast these votes did not have the oaths required by law to be administered to voters administered to them previous to voting:

J. C. Conley, J. B. Walker, T. J. Wallis, Jole Jines, John Ethridge, Alexander Thompson, Jackson McDaniel, J. A. Hendrix, W. A. Stansberry, Barton Commern, J. J. Will, T. B. Youngblood, William Lafalette, J. B. O'Neal, J. W. Hart, Joseph Haper, W. B. O'Neal, Greene Thornhill, W. Sparkman, John Harper, T. B. Richmon, A. Herranton, W. W. Garroute, J. R. Blades, J. G. Castoe, John Eadon, W. E. Vaughn, Pall May, Wiley Blavens, J. B. O'Neal, W. J. Crow, John Wood, John Shockley, Daves Switzer, J. Murry, B. F. Roads, M. G. Lovetts, Jacob Hart, Joseph Wade, A. J. Boman, W. T. Walker, G. M. Laney, Moses Cockrell, P. G. Anderson, James Sexton, A. Obanion, D. D. Reynolds, John Bettis, Robert Batson, J. M. Everhart, A. B. Reynolds, E. Lovelace, G. D. Hughes, Moses Gilbert, William McDaniel, T. Rose, J. A. Buckner, J. A. Lile, J. T. Blades, A. N. Roberson, J. B. Raney, John Gascons, George Youngblood, Oby Ragsdale, J. Hines, J. H. Ragstale, L. Willson, Alford Ragstale, Levi Ragstale, N. Batson, T. Batson, W. W. Fane, E. A. Blades, J. C. McDaniel, J. H. West, J. M. Brittain, F. M. Jones, W. T. Long, G. W. Baldwin, Leven Ragsdale, R. Thompson, G. D. Peddit, Davis Garoutte, W. M. Bates, John McDaniel, J. W. Brittain, R. D. Blades, C. O. Raney, John Laney, William Clilorn, Albert Obanion, Charles Bleven.

Of the above seventy-eight voted for you, and six for me.

List of votes illegally cast by company I, 7th provisional regiment East Missouri militia, at Cassville, Missouri, and referred to in the second and twelfth reasons assigned for contesting your seat. These names were returned illegally on a military poll-book to Dade county, and illegally cast up with the votes of said county, and certified to the secretary of state. The election held by this company was unauthorized and illegal, and the election was illegally held and conducted illegally. The following are the names:

Robert Cowen, Weck Morgan, James H. Goforth, Jasper N. Stockton, George W. Birch, James T. Cantrel, George W. Messer, James K. Smith, James H. Lawson, John Wells, Thomas R. Hawkins, A. Morgan, John Clayton, William Bowles, Thomas J. Meek, W. L. A. Cowen, William C. Cantrel, George T. Dotson, James M. Morris, W. W. Hoover, Samuel W. Steagall, James W. Hoover, N. L. Ayres, Wiley S. Ethridge, Isaac B. Stapp, William K. Pyle, W. T. Hastings, William W. Goforth, John H. Howard, James P. Stockton.

Of the above twenty-one voted for you and eight for me.

List of votes illegally cast at Cassville, Missouri, by a detachment of company A, 6th provisional regiment East Missouri militia, and referred to in the second and twelfth reasons assigned for contesting your seat. These names were illegally returned, on what purports to be a military poll-book, to Dade county, and illegally cast up with the votes of said county and certified to the secretary of state. The election held by this company was unauthorized and illegal. The election was illegally held and illegally conducted, and the return illegally made

and sent to Dade county, and illegally cast up with the votes of said county, and certified illegally to the secretary of state. The names are as follows:

John C. Kerby, William Gothar, George Davis, S. A. Harshbarger, G. Galasper, R. A. Kimmons, John Person, J. H. Acon, J. W. Nickle, J. W. Harshbarger, W. M. Forest, J. G. Boyd, A. A. Mackey, John Newton.

Eleven of the above-named men voted for you, and three for me.

List of votes illegally cast at Crane Creek township, Barry county, and referred to in the second, third, and fourth reasons assigned for contesting your right to the seat. The election in the aforesaid township was not by ballot as required by law, and the voters were not sworn as required by law; and I contend that the poll-book and vote in said township should be rejected. The names are as follows:

Thomas Willey, John Wise, Jefferson Garland, Amon Carr, Isan Williams, W. H. Zim, John Bassett, Andrew Hemphill, W. M. Laster, John Stadlee, Enos Hilton, John M. Ellis, W. S. Robbins, B. A. Ellis, J. A. Hilton, J. M. Wilson, William Hiner, D. A. Wilson, T. D. Davis, Jonathan Hilton, Charles Crubaugh, James Wise, Wiley Wise, J. P. Williams, W. P. Hemphill, J. H. Gibbs, Elijah Williams, Granville Smith, W. S. Hilton, W. H. Wilson, Daniel Wagner, W. W. Forbes, J. M. Wilson, Enoch Williams, J. B. Ellis, I. P. Garrison, S. A. Berry.

Of these votes all were given to you.

List of votes illegally cast in Mountain township, Barry county, Missouri, referred to in the second, third, and fourth reasons assigned for contesting your right to the seat. The election in said township was not by ballot, as required by law. The voters were not sworn as the law requires. The returns of said election were not properly and legally made, and said vote and poll should be rejected. The names are as follows:

Jonathan Jones, Jonathan Eden, jr., B. G. Eden, Jonathan Eden, sen., J. T. Reeves, J. T. Clemens, M. Hilton, Joseph Doty, jr., Samuel Stockden, David Jones, H. L. Wilson, Lewis Harp, John Stockden, Jefferson Stockden, Martin Hilton, James Stockden, William Johnson, Samuel Balie, Joseph McCully, Eli Doty, Edward Doty, Z. P. Berry, John Chanler, Calvin Carney, A. Harp, G. Carney.

The above votes were all given for you.

List of votes illegally cast at Cassville, in Flat Creek township, Barry county, Missouri, referred to in the second, third, and fourth reasons assigned for contesting your right to the seat. The election in said township was not by ballot, as required by law. The voters were not sworn, as required by law. The returns of said election were not properly and legally made, and the election was illegally conducted, and said votes and poll should be rejected. The names of the voters are as follows:

James Rodgers, John D. Kerr, Autney Hall, Samuel Hollet, J. B Hickok, J. B. Jinkens, George Nellis, George Solomon, (1st Arkansas,) Samuel T. Neal, H. L. Jackson, Henry Roach, M. C. Johnson, Jesse Arnhart, James McGlothlin, Noah Gorden, (1st Arkansas,) J. M. Moore, William Garris, Henry Anderson, W. P. Mizer, J. W. Thomas, P. M. Frost, James McMillen, Philip Averia, H. N. Brown, James Swindle, Prior Bradley.

These votes were all given for you.

List of votes illegally cast in King's Prairie precinct, McDonald township, Barry county, Missouri, referred to in the second, third, and fourth reasons assigned for contesting your right to the seat. The election in said township was not by ballot, as required by law. The voters were not sworn, as required by law. The returns of said election were not properly and legally made. The election was not legally conducted, and the vote and poll should be rejected. The names are as follows:

William W. Lee, Thomas Crumley, James B. Smith, John Henry, Amos N. Kelley, Jonathan Blankenship, Robert S. Purvines, Simeon Powers, Lewis Smith, Morgan Colton, Pleasant P. Henderson, Lewis Mattingly, Cornelius Westfall, Joel Boyd, James Roden, Henry Fare, Enoch Davis, Benjamin Whittington, John Crumley, Silas Moudy, Asa Carlin, James Riddle, Gilbert L. Carlin, John H. Crawford, Martin B. Sooter, George W. Morbit, L. P. Stringer, James H. McKinney, Stephen Adams, Tillman Edwards, N. T. Morbit, Joshua Thomas, James M. Morbit, H. J. Smith, George Badget, John B. Thomas, George M. Goodnight, J. H. Kennedy, John A. Smith, Charles H. Lance, Moses E. Banks, Thomas Smith, Houstin Morbitt, William Stringer, Gideon Jackson, John Goodnight, Amos Carlin, Michael Horine, Hood Tate, William Todd, Chester Daggett.

These votes were all given for you.

List of votes illegally cast at Cassville, Missouri, by men claiming to be a detachment of company H, 7th provisional regiment East Missouri militia, referred to in the second and twelfth reasons assigned for contesting your right to the seat. The election was illegally held and conducted, and the return of said election was illegally made, and the vote and poll-book should be rejected. The names are as follows:

Joseph L. Barze, (or Baze,) John Lawson, C. Snider, F. M. Morris, E. W. Williams, (all right.)

These men all voted for you.

List of votes illegally cast by men claiming to compose company M, 8th regiment cavalry, Missouri State militia, and referred to in the second, fourth, sixth, and twelfth reason assigned for contesting your right to the seat. These names were returned on a military poll-book to Barry county, and also to Greene, Polk, and Dallas counties, and counted in all those counties. These votes were illegally returned to Barry, Greene, Dallas, and Polk counties, and returned to officers unauthorized to receive them, and illegally counted and cast up in said counties, and illegally certified to the secretary of state, and illegally counted in summing up the votes of the district. The names are as follows:

Thomas C. Crabtree, Elisha Walker, Lemuel C. Estes, John W. Crawford, James Short, Franklin Haddock, Elias Chapman, Mark B. Evans, Benjamin Kerr, Edly Wolf, (for Boyd,) John Doss, Wm. G Hutchison, Wm. A. Berry, Enos Hilton, Lafayette Hayes, Peter Hutchison, Wm. S. Peryman, Joseph McConell, Joseph Randleman, Marshal Lovan.

These votes were all cast for you, but one.

List of votes illegally cast at Cassville, Barry county, Missouri, by men claiming to compose company G, 7th provisional regiment Missouri militia, referred to in the second, fourth, sixth, and twelfth reasons assigned for contesting your right to the seat. These names were illegally returned on a military poll to Barry county. The election was illegally conducted and the return not legally made, and the vote and poll should be rejected. The names are as follows:

Major B. Tate, Perry G. Brock, Aaron V. Davis, John W. Tate, Joseph McCormick, John McCormick, Enoch McCrory, Henry Birkes, W. P. Betterton, David Marshal, A. J. Henderson, Samuel Crumbley, Joseph Russel, Jacob W. Hawk, Asher Fly, William Mansfield, Terry W. Brock, Jesse Christopher, William Linn, William Schooling, David C. Woods, W. J. Arnold.

These men all voted for you.

List of votes illegally cast in Jasper county, Missouri, by persons claiming to be citizens of Jasper county, referred to in the seventh reason assigned for contesting your right to the seat. The election was not by ballot; it was illegally held and illegally conducted; the oaths required by law were not administered to voters; the return of said election was illegally made; and for these reasons the vote should be rejected. In that county you received fifty-one votes and I

received one vote. The following are all the names I can get of the men who voted at that election. I will get the balance of the names, if possible. The judges of that election, it appears, failed to retain one of the poll-books, as required by law. The election was illegal, and the vote should be rejected. The names I have been able to get are as follows:

Thomas Coldwell, Samuel Coldwell, Thomas Buck, John J. S. Bowers, Marshall Dunnivan, William B. Hamilton, William J. Swindle, Benjamin Rice, John Henry, Brice Henry, Isaac Eads, William Carr, Ewing Motley, James Motley, Lewis Renno, Jesse Fullerton, Wm. Alexander, John Waddill, Jasper Moody, J. P. Boyd, Frederic Nichols, James Crawford, Leander Hughes, Joseph M. Smith, Stephen Vitatoe, Smith Archey, Thomas Griggs, William G. Bulgen.

It appears you received twenty-six votes in McDonald county. I am unable to obtain the names of the men who voted for you. I contend the vote in that county should be rejected for the following reasons: First, the return of the vote is illegal, and not such as the law requires, and shows the election to have been unauthorized by law; second, the condition of McDonald county is such that none but rebels can live there; and if these twenty-six men really live in McDonald county they are certainly not loyal men, and their votes should not be counted. The condition of McDonald county is such that testimony cannot be taken in that county without a strong escort. For these reasons the vote of McDonald county should be rejected.

List of votes illegally cast by men claiming to belong to company M, second Missouri light artillery. These men had no right to vote. The return was illegally made on a military poll-book to Greene county, and cast up illegally among the votes of that county and certified to the secretary of state. The men casting the vote had not been citizens of Missouri twelve months previous to the day of election, nor had they been citizens of Greene county nor of the fourth congressional district three months previous to the day of the election. The names are as follows:

Geo. W. Smathers, John Farley, Thos. M. Hamilton, Haden B. Barbour, John Pruitt, William Abbut, Joseph J. Beale.

These men all voted for you.

These are only a part of the many illegalities, but I think they will suffice.

I am, sir, very respectfully, your obedient servant,

S. H. BOYD.

Mr. JOHN R. KELSO.

Executed the within notice and petition by serving a certified copy of the same, under my hand, with Mrs. John R. Kelso, wife of John R. Kelso, a free white person over the age of fifteen years, and a member of said Kelso's family. Done in Greene county, Missouri, at John R. Kelso's residence, March 21, 1865.

JOHN A. PATTERSON,
Sheriff.

E. WHITE,
Deputy Sheriff of Greene County.

B.

OFFICE SECRETARY OF STATE,
City of Jefferson, Missouri.

I, Francis Rodman, secretary of state, hereby certify that the following pages, commencing with Douglas county and ending with McDonald county, contain a true and correct copy or transcript of the election returns made to this office

by the several clerks and judges of election, of an election begun and held in the several counties composing the fourth congressional district of the State, on Tuesday, the 8th day of November, A. D. 1864, so far as said returns relate to the election of a representative from said district in the House of Representatives of the thirty-ninth Congress of the United States; and further, that the pages also contain a true copy of all statements and certificates attached to and accompanying said returns, as made and certified by the several county clerks and judges of election; and further, that nothing contained in said returns are omitted in the following pages except the vote cast for other national, State, or county officers who were candidates at said election; and further, that there are on file in this office the returns from several soldiers' voting places which were not counted in casting up the vote from illegality and insufficiency, and which are not contained in the following pages.

In testimony whereof, I have hereunto set my hand and affixed my official seal. Done at office, this 22d day of February, A. D. 1865.

[SEAL.] FRANCIS RODMAN,
Secretary of State.

DOUGLAS COUNTY.

We hereby certify that, agreeably to the returns from Ozark and Douglas county, * * * S. H. Boyd for Congress received 141 votes; J. R. Kelso for Congress received 53 votes; P. B. Larrimore for Congress received no votes, and M. J. Hubble for Congress received no votes. * * *

Given under our hands this 19th day of November, A. D. 1864.

THOMAS S. BROWN,
President of the County Court of Douglas County.
JOHN SPURLOCK,
Assistant Judge.
JAMES A. WILSON,
Clerk of the County Court of Douglas County, Missouri.

Filed December 6, 1864.

M. OLIVER, *Secretary of State.*

TEXAS COUNTY.

At an election held at Licking, in county of Texas, Missouri, the same being the usual place of holding elections in said county, the following stated number of votes for the respective offices herein designated— * *

For Congress, S. H. Boyd received 20 votes and no more; John R. Kelso received 4 votes and no more; Martin J. Hubble received 1 vote and no more.

STATE OF MISSOURI, *County of Texas, ss:*

I, A. M. Wade, clerk of the county court within and for the aforesaid county, do hereby certify the within to be a full, true, and correct statement of the number of votes received at an election held in said county on the 8th day of November, 1864, for the offices mentioned therein, as fully appears from the returns of the poll-books, judges' and clerks' certificates, thereunto appended.

Given under my hand officially, and the seal of said court affixed, this 28th day of November, 1864.

SEAL.] A. M. WADE, *Clerk.*

Filed December 2, 1864.

M. OLIVER, *Secretary of State.*

STONE COUNTY.

We, John H. Moore, clerk of the county court of Stone county, and Zecariah Heuson and John H. Stone, justices of the county court of said county of Stone, taken to the assistance of said clerk, do hereby certify that the following is a true and correct abstract of the votes given on the 8th day of November, A. D. 1864, in said county of Stone, for each candidate for the various offices, to wit:

* * * S. H. Boyd, for Congress in the 4th congressional district, received 49 votes. John R. Kelso, for Congress in the 4th congressional district, received 49 votes. * * *

STATE OF MISSOURI, *County of Stone, ss:*

I, John H. Moore, clerk of the county court within and for said county, do hereby certify that the foregoing is a true and complete copy of the abstract of the vote polled in said county on the 8th day of November, A. D. 1864.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office in Galena, this 28th day of November, 1864.

[SEAL.]

JOHN H. MOORE, *Clerk.*

Filed December 5, 1864.

M. OLIVER, *Secretary of State.*

POLK COUNTY.

An abstract of the votes given in the county of Polk, in the State of Missouri, at an election held at the different townships in said county on the 8th day of November, A. D. 1864, to elect a governor, &c. * * *

Candidates for Congress, S. H. Boyd 527 votes; J. R. Kelso 450 votes; P. B. Larriniere 3 votes.

* * * * * * * *

STATE OF MISSOURI, *County of Polk, ss:*

I, Thomas W. Cunningham, clerk of the county court within and for said county and State of Missouri, do hereby certify that the foregoing abstract contains a true statement of all votes given, and for whom given, at an election held on the 8th day of November, A. D. 1864.

Witness T. W. Cunningham, clerk as aforesaid, the seal of said court affixed, at office, the 30th day of November, A. D. 1864.

[SEAL.]

T. W. CUNNINGHAM, *Clerk.*

Filed December 12, 1864.

M. OLIVER, *Secretary of State.*

BARTON COUNTY.

I, Samuel Cones, certify that the county court of Barton county failed to appoint judges of election for the presidential and State election in 1864, for said county of Barton, and the various precincts therein; and I further certify that the clerk of the county court failed to prepare poll-books for the said county of Barton; and I further certify that on the 8th day of November, 1864, the voters of Mineral township, in said county of Barton, assembled at the place appointed for voting in said township, which is the place at which the election was holden in said township at the time of electing the constitutional convention in 1861; and I further certify that Alexander Swartz, John Grissam, and myself were chosen judges of the election by a majority of the legal voters of the township aforesaid, assembled at the place of voting aforesaid, at the time aforesaid, to hold the presidential and general State election for 1864; I further certify that the said judges of election, after being chosen as aforesaid, were duly qualified according to law; I further certify that the said judges, after having been

chosen and qualified as aforesaid, appointed John Cavenis and John Upright clerks of said election, who were duly qualified according to law; I further certify that the judges of the county court and the clerk of the county court having run away on account of Sterling Price's raid, and not having returned on the first Saturday after said election, to wit, on the 12th day of November, A. D. 1864, I, as one of the judges of the election aforesaid, repaired to the county seat of said county of Barton, and there not having been any election held in any other precinct of said county of Barton, I organized myself into a board and proceeded to cast up the votes given in such election, and I certify the same as follows:

S. H. Boyd, candidate for Congress, received twenty votes. * *

I, Samuel Cones, certify the above abstract of votes is correct, and that the number of votes written opposite the name of each candidate is the number of votes he received in Barton county, for the office for which he was running.

SAMUEL CONES,
Member of the Board of Judges for Barton County.

Filed December 3, 1864.

M. OLIVER, *Secretary of State.*

LACLEDE COUNTY.

An abstract of the votes given in the county of Laclede, including the soldiers' votes, and for whom, on the 8th day of November, A. D. 1864, and for what office. * * * * * * * *

For Congress, John R. Kelso received 318 votes; S. H. Boyd received 284 votes; M. J. Hubble received 43 votes.

* * * * * * * * * *

STATE OF MISSOURI, *County of Laclede, ss:*

I, John L. Herndon, clerk of the county court within and for the county and State aforesaid, do hereby certify that the foregoing abstract of the votes given in said county, and the soldiers' vote returned to this office, is truly compiled from the poll-books now on file in my office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office, in the town of Lebanon, this 30th day of November, A. D. 1864.

[SEAL.]

JOHN L. HERNDON, *Clerk.*

Filed December 4, 1864.

M. OLIVER, *Secretary of State.*

TANEY COUNTY.

* * * * * * * * * *

For Congress of the 4th congressional district: S. H. Boyd received 21 votes; J. R. Kelso received 8 votes.

* * * * * * * * *

STATE OF MISSOURI, *County of Taney:*

I, Abner Garruson, county clerk of Taney county, do hereby certify that the within and foregoing is the true vote of said county given at the November election, 1864.

In testimony whereof, I have hereunto set my hand and fixed my private seal, there being no public seal at hand. Done at Laurence's Mills this 24th day of November, 1864.

ABNER GARRUSON, *Clerk.*

Filed November 30, 1864.

M. OLIVER, *Secretary of State.*

CHRISTIAN COUNTY.

STATE OF MISSOURI, *County of Christian:*

Names of persons voted for and for what office, and the number of votes given each condidate.

* * * * * * * *

For member of Congress, S. H. Boyd received 345 votes; John Kelso received 206 votes; M. J. Hubble received 1 vote.

* * * * * * * *

STATE OF MISSOURI, *County of Christian, ss:*

I, John M. Pettijohn, clerk of the county court in and for the county of Christian and State of Missouri, do hereby certify that the above and foregoing is a true and correct statement of the votes cast and returns to my office for the different offices as above stated, at the election held on the 8th day of November, A. D. 1864, in Christian county.

In witness whereof, I have hereunto set my hand and affixed the seal of said county court, at office, in the town of Ozark, in said county, this November 28, 1864.

JOHN M. PETTIJOHN, *Clerk.*

Filed December 5, 1864.

M. OLIVER, *Secretary of State.*

WRIGHT COUNTY.

STATE OF MISSOURI, *County of Wright, ss:*

I, William K. Benton, clerk of the county court in and for the county and State aforesaid, do hereby certify that at a regular election begun and held Tuesday, November 8th day, A. D. 1864, that the amount opposite each candidate's name is a correct report from this county, as the poll-books were delivered to me, including the soldiers' vote.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal, at office, in the town of Hartville, November 28, 1864.

WILLIAM K. BENTON,
County Clerk,
By JAMES FORREST,
Deputy Clerk.

* * * * * * * *

S. H. Boyd received 10 votes for Congress, 4th district.
John R. Kelso received 77 votes for Congress, 4th district.

* * * * * * * *

Filed December 4, 1864.

M. OLIVER, *Secretary of State.*

JASPER COUNTY.

STATE OF MISSOURI, *County of Jasper, ss:*

We, the unders'gned, judges of election held in Sarocoxie township, in said county of Jasper, on the 8th day of November, A. D. 1864, do hereby certify that our county is in a disorganized condition, having no judges of the county court, nor clerk thereof, and voting under an ordinance of the State convention, adopted June 13, 1862. We would further certify that * * * S. H. Boyd,

for Congress, received 1 vote, and John R. Kelso, for Congress, received 51 votes. * * * * * * * *

Given under our hands this 24th day of November, 1864.

THOMAS BUCK,
JESSE H. FULLERTON,
JOHN J. S. BOWEN,
Judges of Election.

It is hereby certified that the number of votes at this election amount to 52, and that each candidate received the number of votes annexed to his name, as above stated.

Attest:

J. P. BOYD,
SAML. H. CALDWELL,
Clerks.

Filed December 5, 1864.

M. OLIVER, *Secretary of State.*

NEWTON COUNTY.

STATE OF MISSOURI, *County of Newton:*

We hereby certify that * * * * * *

For Congress, S. H. Boyd received 1 vote, and J. R. Kelso received 149 votes, P. B. Larimore received — votes, Martin J. Hubble received — votes. * * * * * * * * * * *

In testimony whereof, we, the board of judges of the regular election, held in the county of Newton and the State of Missouri, on the 8th day of November, A. D. 1864, is true. Given under our hands this 19th day of November, 1864.

T. O. WOOD,
J. R. PEARSON,
W. C. WALSH,
Judges.

The SECRETARY OF STATE *of Missouri.*

Filed December 2, 1864.

M. OLIVER, *Secretary of State.*

GREENE COUNTY.

STATE OF MISSOURI, *County of Greene, ss:*

I, Robert A. C. Mack, clerk of the county court within and for the county of Greene and State of Missouri, do hereby certify that at a general election held in Greene county, Missouri, on the 8th day of November, 1864, the following named persons received the number of votes set opposite their names. * *

For Congress of the fourth district, Missouri, S. H. Boyd received one thousand one hundred and twenty-nine votes; J. R. Kelso received nine hundred and ninety-five votes; M. J. Hubble received two hundred and twenty-eight votes; P. B. Larimore received one vote. * * * *

In testimony whereof, I, Robert A. C. Mack, clerk of the county court of Greene county, Missouri, have hereunto set my hand and seal of the county [L. S.] court of Greene county, Missouri, at office, in the town of Springfield, this the 28th day of November, 1864.

ROBERT A. C. MACK,
County Clerk for Greene County, Missouri.

Filed December 5, 1864.

M. OLIVER, *Secretary of State.*

WEBSTER COUNTY.

STATE OF MISSOURI, *County of Webster, ss:*

I, John Foster, clerk of the county court within and for said county, do hereby certify that at the election held in the county of Webster, State of Missouri, on the 8th day of November, A. D. 1864, the following named candidates received the number of votes placed opposite their names, for the several offices hereinafter mentioned, to wit: * * * * * *

For representative in Congress, 4th district, S. H. Boyd received 317 votes; John R. Kelso received 253 votes; M. J. Hubble received 110 votes. * *

Compared and cast up in presence of John C. Tumble, county court justice, and William Haymer, county court justice.

In testimony whereof, I, John Foster, clerk of the county court, in and for Webster county, State of Missouri, have hereunto set my hand and affixed the [SEAL.] seal of said court, at office in Marshfield, Missouri, this 26th day of November, 1864.

JOHN FOSTER, *Clerk.*

Filed December 3, 1864.

M. OLIVER, *Secretary of State.*

DALLAS COUNTY.

STATE OF MISSOURI, *County of Dallas, sct:*

Abstract of the vote polled in Dallas county on the 8th day of November, 1864.

* * * * * * * *

For Congress, fourth district—

S. H. Boyd, 249 votes; J. R. Kelso, 300 votes.

* * * * * * * *

STATE OF MISSOURI, *County of Dallas, sct:*

I, A. B. Maddux, clerk of the county court, within and for said county and State, do certify that the foregoing is a full and true abstract of all the votes polled in said county on the 8th day of November, 1864, the several poll-books being compared in the presence of two members of the county court on the 28th day of November, 1864.

Witness my hand with the seal of said court, at office in Buffalo, November [SEAL] 29, 1864.

A. B. MADDUX, *Clerk.*

Filed December 5, 1864.

M. OLIVER, *Secretary of State.*

CEDAR COUNTY.

STATE OF MISSOURI, *County of Cedar, ss:*

Abstract of votes cast at the November election, held at the town of Stockton in Cedar county, on the 8th day of November, A. D. 1864.

* * * * * * * *

For Congress—

S. H. Boyd, 141 votes; John R. Kelso, 153 votes.

* * * * * * * *

STATE OF MISSOURI, *County of Cedar, ss:*

Be it remembered that on this, the 26th day of November, A. D. 1864, the undersigned, clerk of the county court of Cedar county, Missouri, did call to his assistance two justices of the county court of said county, as required by law,

and proceed to count and cast up the votes polled in said county on the 8th day of November, A. D. 1864, and I hereby certify that the foregoing is a true, correct, and impartial abstract of the same.

In testimony whereof, I have hereunto set my hand and official seal this 26th day of November, 1864.

SEAL.]

D. H. COMNOWAY, *Clerk.*
By A. SALLE, *Deputy Clerk.*

Filed December 5, 1864.

M. OLIVER, *Secretary of State.*

BARRY COUNTY.

STATE OF MISSOURI, *County of Barry, ss:*

The undersigned, clerk and justices of the county court, in and for the county of Barry, and State of Missouri, hereby certify that, at a general election for said county, held on the 8th day of November, A. D. 1864, * * Martin J. Hubble received seventeen (17) votes for Congress, and John R. Kelso received one hundred and fifty-five (155) votes for Congress, and S. H. Boyd received thirty-two (32) votes for Congress. * * *

In testimony whereof, we have hereunto subscribed our names this 26th day of November, A. D. 1864.

[SEAL.]

JOHN RAY, *Clerk.*
S. D. BALLOCH,
S. H. CARLILE,
Justices of Barry County.

Filed December 2, 1864.

M. OLIVER, *Secretary of State.*

LAWRENCE COUNTY.

STATE OF MISSOURI, *County of Lawrence, ss:*

I, John S. Wilson, clerk of the county court within and for Lawrence county, in said State, certify that at a general election held on the 8th day of November, A. D. 1864, for said county, * * * * * John R. Kelso received six hundred and twenty-four (624) votes for Congress; S. H. Boyd received one hundred and seventy-seven (177) votes for Congress, * * * * * * * as appears from the abstract now on file in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said court at office, this 28th day of November, A. D. 1864.

[SEAL.]

JOHN S. WILSON, *Clerk.*

Filed December 5, 1865.

M. OLIVER, *Secretary of State.*

DADE COUNTY.

Comparison of the polls of the election in Dade county, held November 8, 1864.

* * * * * * * *

For Congress, fourth district—

S. H. Boyd, 390 votes; J. R. Kelso, 96 votes; P. B. Larrimore, — votes; M. J. Hubble, — votes. * * * * *

Given under our hands this 26th day of November, 1864.

NELSON McDOWELL,
Clerk of County Court.
M. A. GARRISON,
WM. MITCHELL,
Justices of the Peace.

STATE OF MISSOURI, *County of Dade, ss:*

I, Nelson McDowell, clerk of the county court within and for the county and State aforesaid, do hereby certify that the within and foregoing is a true copy of the abstracts of the vote taken in and for Dade county on the 8th day of November, according to the returns made to my office, and as counted by myself and two justices of the peace of said county, on the 26th day of November, 1864.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, this 28th day of November, 1864.

[L. S.]

NELSON McDOWELL, *Clerk.*

Filed December 6, 1864.

M. OLIVER, *Secretary of State.*

DADE COUNTY.—SUPPLEMENTAL RETURNS.

* * * * * * *

For Congress, J. R. Kelso had 5 votes.

* * * * * * *

STATE OF MISSOURI, *County of Dade, ss:*

I, Nelson McDowell, clerk of the county court within and for the county and State aforesaid, do hereby certify that the foregoing is a true and correct abstract of the additional returns made to my office since the regular counting of the votes by myself and two justices of the peace.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court this 26th day of November, 1864.

[L. S.]

NELSON McDOWELL, *Clerk.*

Filed December 6, 1864.

M. OLIVER, *Secretary of State.*

MACDONALD COUNTY.

Poll-book for Macdonald county, Pineville township, 8th November, 1864.

Names of persons voted for, and for what office, containing number of votes given for each candidate: * * * * *

For Congress, S. H. Boyd, — votes; J. R. Kelso, 26 votes; P. B. Larrimore, — votes; M. J. Hubble, — votes.

* * * * * * *

We hereby certify, that * * * * * S. H. Boyd, for Congress, received — votes; J. R. Kelso, for Congress, received 26 votes; P. B. Larrimore, for Congress, received — votes; M. J. Hubble, for Congress, received — votes. * * * *

SAMUEL HUNTER,
APHREY EPERSON,
J. C. HAMPTON,
Judges.

Attest:
J. H. COWAN,
THOMAS DONICA, *Clerks.*

Filed November 28, 1864.

M. OLIVER, *Secretary of State.*

Abstract of the vote cast in the several counties composing the fourth congressional district of the State of Missouri, for a representative from said district to the House of Representatives of the thirty-ninth Congress of the United States, at an election begun and held on Tuesday, the eighth day of November, A. D. 1864.

Counties.	S. H. Boyd.	J. R. Kelso.	M. J. Hubble.	P. B. Larrimore.
Barton	20 votes	No vote	No vote	No vote
Jasper	1.. do	51 votes	do	do
Newton	1.. do	149.. do	do	do
McDonald	No vote	26.. do	do	do
Barry	32 votes	155.. do	17 votes	do
Lawrence	177.. do	624.. do	No vote	do
Dade	390.. do	101.. do	do	do
Cedar	141.. do	153.. do	do	do
Polk	527.. do	450.. do	do	3 votes
Greene	1,129.. do	995.. do	228 votes	1.. do
Christian	345.. do	206.. do	1.. do	No vote
Stone	49.. do	49.. do	No vote	do
Taney	21.. do	8.. do	do	do
Webster	317.. do	253.. do	110 votes	do
Dallas	249.. do	300.. do	No vote	do
Laclede	284.. do	318.. do	43 votes	do
Wright	10.. do	77.. do	No vote	do
Douglas	141.. do	53.. do	do	do
Ozark	34.. do	No vote	do	do
Texas	20.. do	4 votes	1 vote	do
Howell	No vote	No vote	No vote	do

OFFICE SECRETARY OF STATE,
City of Jefferson, Missouri.

I, Francis Rodman, secretary of state, hereby certify that the above and foregoing is a true and complete abstract of the votes cast for a member of Congress from the fourth congressional district of the State of Missouri in the House of Representatives of the 39th Congress of the United States, at an election begun and held in the counties composing said district on Tuesday, the eighth day of November, A. D. 1864, as appears from the official returns now on file in this office.

[SEAL.] In testimony whereof, I have hereunto set my hand and affixed my official seal. Done at office this fourteenth day of January, A. D. 1865.

FRANCIS RODMAN,
Secretary of State.

C.

SPRINGFIELD, MISSOURI,
March 23, 1865.

Hon. JNO. R. KELSO:

You will please take notice that, on the 4th day of April, A. D. 1865, at the office of the clerk of the county court of Barry county, Missouri, in the town of Cassville, before the Hon. John Carney, I will take the depositions of Joseph Doty, A. Harp, C. Carney, Samuel Bailie, Hood Tate, Amos Carlin, John Goodnight, Michael Horim, G. H. Jackson, Wm. Robinson, P. Bradley, S. H. Carlile, H. Anderson, Jno. W. Thomas, I. B. Ellis, A. Peters, I. P. Garrison, and David Sitzs, residents of Barry county aforesaid; the depositions to be read in evidence in the contest for a seat in the House of Representatives, in which I am claimant and you are contestee.

S. H. BOYD.

SPRINGFIELD, MISSOURI.

Executed the within notice in Greene county, Missouri, by delivering a true copy of the same to Mrs. John R. Kelso, wife of said John R. Kelso, a free white person over the age of fifteen years, and a member of said John R. Kelso's family. Done at his usual place of abode this March 25, 1865.

JOHN A. PATTERSON,
Sheriff of Greene County.

[Patterson's fee fifty cents.]

Depositions of John Goodnight, Hood Tate, William Robison, S. H. Carlile, and John Ray, five witnesses of lawful age, produced, sworn, and examined before the undersigned, John Carney, presiding justice of the county court of Barry county, Missouri, a court of record in Missouri, in pursuance of the notice hereto annexed; and also Enoch Williams, a witness of lawful age, who was present, was sworn and examined before said justice at the office of the county clerk, at Cassville, Barry county, Missouri, on the 4th day of April, A. D. 1865, between the hours of nine (9) in the forenoon and six (6) o'clock in the afternoon, touching all such matters and things to their knowledge respecting the facts in controversy in the contested election case in the fourth congressional district of Missouri, wherein S. H. Boyd is contestant and John R. Kelso is the contestee, on part of the contestant. Present, J. H. Creighton, esq., as attorney for the Hon. S. H. Boyd.

John Goodnight, of lawful age, being duly sworn and examined on behalf of the contestant, deposes and says as follows:

Question 1. What is your name, age, and occupation?

Answer 1. My name is John Goodnight; age, forty-nine; by occupation a farmer.

Question 2. Where were you on the 8th day of November, 1864, and what were you doing?

Answer 2. I was at King's Prairie precinct, in McDonald township, acting judge of the election.

Question 3. Were all who voted there residents of that township?

Answer 3. They were not.

Question 4. What was the probable number that were not residents of that township, and where did they reside?

Answer 4. The number is nine: six lived in Capp's Creek township, Barry county; one in Lawrence county, Missouri; and two in Greene county, Missouri.

Question 5. Was the oath administered to those from Capp's Creek township, that they had not and would not vote at any other place of voting at that election?

Answer 5. That oath was not administered to any of them.

Question 6. Can you give the names of those voting at that precinct who lived in Capp's Creek township; the one that lived in Lawrence county, Missouri, and the two who lived in Greene county, Missouri?

Answer 6. I can.

Question 7. Please state what they were.

Answer 7. Thomas Crumley, John Crumley, Silas Mondy, Asa Carlin, Gilbert L. Carlin, Chester Dagget, lived in Capp's Creek township; John Henry lived in Lawrence county, Missouri, and James B. Smith and Amos N. Kelley, lived in Greene county, Missouri.

Question 8. Were there any soldiers voted at that precinct; if so, how many?

Answer 8. There were soldiers voted at that precinct; two of the 8th cavalry,

Missouri State militia; and four of the 7th provisional regiment, enrolled Missouri militia, in the service of the United States.

Question 9. State, if you can, their names.

Answer 9. Their names were Charles H. Lance, Moses E. Banks, James Riddle, James Roden, Lewis Smith, and James McKinney.

JOHN GOODNIGHT.

Sworn to and subscribed before me this 4th day of April, A. D. 1865.

JOHN CARNEY,

Presiding Justice of the County Court of Barry County, Missouri.

Hood Tate, of lawful age, being duly sworn and examined on behalf of the contestant, deposes and says as follows:

Question 1. What is your name, age, and occupation?

Answer 1. My name is Hood Tate; age, sixty-one; by occupation a farmer.

Question 2. Where were you on the 8th day of November, 1864, and what were you doing?

Answer 2. I was at King's Prairie precinct, in McDonald township, acting judge of the election.

Question 3. Were all who voted there residents of that township?

Answer 3. They were not.

Question 4. What was the probable number that were not residents of that township, and where did they reside?

Answer 4. The number is nine: six lived in Capp's Creek township, Barry county, Missouri; one in Lawrence county, Missouri; and two in Greene county Missouri.

Question 5. Was the oath administered to those from Capp's Creek township that they had not and would not vote at any other place of voting at that election?

Answer 5. That oath was not administered to any of them.

Question 6. Can you give the names of those voting at that precinct who lived in Capp's Creek township; the one that lived in Lawrence county, Missouri, and the two who livede in Greene county, Missouri?

Answer 6. I can.

Question 7. Please state what they were.

Answer 7. Thomas Crumley, John Crumley, Silas Mondy, Asa Carlin, Gilbert L. Carlin, Chester Dagget, lived in Capp's Creek township, John Henry lived in Lawrence county, Missouri, and James B. Smith and Amos N. Kelly lived in Greene county, Missouri.

Question 8. Were there any soldiers voted at that precinct? If so, how many?

Answer 8. There were soldiers voted at that precinct; two of the 8th cavalry Missouri State militia, and five of the 7th provisional regiment enrolled Missouri militia in the service of the United States.

Question 9. State, if you can, their names.

Answer 9. Their names were Charles H. Lance, Moses E. Banks, James Riddle, James Roden, Lewis Smith, James McKinney, and James B. Smith.

his

HOOD ✕ TATE.

mark.

Sworn to and subscribed before me this 4th day of April, A. D. 1865.

JOHN CARNEY,

Presiding Justice of the County Court of Barry County, Missouri.

William Robison, of lawful age, being duly sworn and examined on behalf of the contestant, deposes and says as follows:

Question 1. What is your name, age, residence, and occupation?

Answer 1. My name is William Robison; age, twenty-seven; residence, Cassville, Barry county, Missouri; a merchant by occupation.

Question. Where were you and what were you doing on the 8th day of November, 1864?

Answer 2. I was at Cassville, Missouri, and was one of the judges of the election for Flat Creek township.

Question 3. Were there any soldiers voted at that precinct?

Answer 3. There were.

Question 4. Can you give the names of any?

Answer 4. I know that Samuel Hollen, George Solomon, Jesse Arnhart, Noah Gordon, Henry Anderson, J. W. Thomas, H. N. Brown, and J. M. Moore were soldiers.

Question 5. State what you know about J. B. Hickok, J. B. Jenkins, George Nellis, James McMillen, and Felix Averia, voting at that precinct, where they lived, and what their employment is.

Answer 5. They all voted at that precinct; do not know where they live; Hickok, Jenkins and Nellis are federal scouts, and McMillen and Averia are telegraph repairers.

WILLIAM ROBISON.

Sworn to and subscribed before me this 4th day of April, A. D. 1865.

JOHN CARNEY,
Presiding Justice of the Barry County Court.

S. H. Carlile, of lawful age, being duly sworn and examined on behalf of the contestant, deposes and says as follows:

Question 1. What is your name, age, residence, and occupation?

Answer 1. My name is S. H. Carlile; age, forty-three; residence, Cassville; Barry county, Missouri; and by occupation a merchant.

Question 2. Where were you and what were you doing on the 8th day of November, 1864?

Answer 2. I was at Cassville, Missouri, acting as judge of the election for Flat Creek township, Barry county, Missouri.

Question 3. Were there any other persons than citizens voted at that precinct?

Answer 3. There were some soldiers voted, and three persons who did not reside in the county.

Question 4. Can you give the names of the soldiers who voted in that precinct; If so, who were they?

Answer 4. I can; George Solomon, M. C. Johnson, Noah Gordon, J. M. Moore, Henry Anderson, J. W. Thomas, and Samuel Hollen were all soldiers and voted.

Question 5. Can you give the names of those three persons who did not reside in the county?

Answer 5. J. B. Jenkins, J. B. Hickok, and George Nellis did not live in the county.

Question 6. Were you a justice of the county court in November, 1864?

Answer 6. I was.

Question 7. Did you assist the county clerk in comparing and casting up the vote of Barry county of the election held on the 8th day of November, 1864?

Answer 7. I did.

Question 8. Was the poll-book of any township rejected for illegality or informality where the votes were cast up?

Answer 8. There was none rejected.

S. H. CARLILE.

Sworn to and subscribed before me this 4th day of April, A. D. 1865.

JOHN CARNEY,
Presiding Justice of the County Court of Barry County, Missouri.

John Ray, of lawful age, being duly sworn and examined on behalf of the contestant, deposes and says as follows:

Question 1. What is your name, age, and residence?

Answer 1. My name is John Ray; age, thirty-seven; residence, Cassville, Barry county, Missouri.

Question 2. Were you the clerk of the county court of Barry county, Missouri, in November, 1864?

Answer 2. I was.

Qustion 3. Did you compare and cast up the returns from the various townships of Barry county, Missouri, of the election held on the 8th day of November, 1864?

Answer 3. I did.

Question 4. What do you know with regard to the legality or illegality of the election held in Crane Creek township on the 8th day of November, 1864?

Answer 4. The poll-book returned from Crane Creek township had the vote of each voter extended opposite the name of said voter after the manner of a *viva voce* poll-book, and there were no ballots returned from that township.

Question 5. Was the poll-book of any township rejected in casting up the vote of the county?

Answer 5. There was none rejected.

JOHN RAY.

Subscribed and sworn to before me this 4th day of April, 1865.

JOHN CARNEY,
Presiding Justice Barry County Court.

Enoch Williams, of lawful age, being duly sworn and examined on behalf of the contestant, deposes and says as follows:

Question 1. What is your name, age, and occupation?

Answer 1. My name is Enoch Williams; age, twenty-seven; by occupation a soldier.

Question 2. Where were you on the 8th day of November, 1864?

Answer 2. I was at the place of voting in Crane Creek township, Barry county, Missouri.

Question 3. Did you vote there?

Answer 3. Yes.

Question 4. Did you take the oath required by the ordinance of the convention dated June 10, 1862?

Answer 4. There was no oath administered to me at all.

Question 5. Did you see others voting while you were there?

Answer 5. Yes.

Question 6. Were they sworn?

Answer 6. No.

Question 7. How long did you stay where they were voting?

Answer 7. About one hour.

Question 8. Did you hand in your ballot to the judges of the election or tell them the names of the persons you voted for?

Answer 8. I held my ticket in my hand and told them the names of those I voted for.

Question 9. Did you see others voting in the same way?

Answer 9. Do not recollect.

Question 10. Did you hear the judges calling out the names of the voters and the names of those for whom they voted?

Answer 10. Yes.

Question 11. Were there other soldiers voted there besides yourself?

Answer 11. Do not recollect of any.

ENOCH WILLIAMS.

Sworn to and subscribed before me this 4th day of April, A. D. 1865.

JOHN CARNEY,
Presiding Justice of the County Court of Barry County, Missouri.

STATE OF MISSOURI, *Barry County, ss:*

I, the undersigned, John Carney, presiding justice of the county court of Barry county, Missouri, which is a court of record in said county in the State of Missouri, do hereby certify that John Goodnight, Hood Tate, William Robison, S. H. Carlile, John Ray, and Enoch Williams, the deponents, were by me first duly sworn the truth to testify touching all such matters and things respecting the election about to be contested by S. H. Boyd—the said S. H. Boyd contesting the right of John R. Kelso to a seat in the Congress of the United States as the representative from the fourth congressional district of the State of Missouri by virtue of an election held on the 8th day of November, A. D. 1865—in response to questions proposed by either of the parties aforesaid or their agents; that I caused the testimony of said John Goodnight, Hood Tate, William Robison, S. H. Carlile, John Ray, and Enoch Williams, together with the questions proposed by said parties, to be reduced to writing and to be duly subscribed and attested by the respective witnesses in my presence and in the presence of J. H. Creighton, agent and attorney for S. H. Boyd. All of which was done on the 4th day of April, A. D. 1865, between the hours of nine (9) in the forenoon and six (6) o'clock in the afternoon, at the time mentioned in the notice hereto annexed, and at the office of the county clerk, at Cassville, Barry county, Missouri, at the place mentioned in said notice.

[SEAL.] JOHN CARNEY,
Presiding Justice of the County Court of Barry County, Missouri.

S. H. BOYD, Contestant,
vs.
JOHN R. KELSO, Contestee.

Depositions taken before John Carney, county justice of Barry county, Missouri, April 4, 1865.

County justice's fees:

For issuing 2 subpœnas, 25 cents	$0 50
For administering 5 oaths, 10 cents	50
For writing depositions, 2,000 words, at 10 cents	2 00
For certificate	25
	3 25

Witness fees:

John Goodnight, 2 days, and 32 miles	$4 56
Hood Tate, 2 days, and 30 miles	4 40
G. H. Jackson, 2 days, and 32 miles	4 56
S. H. Carlile, 2 days	2 00
William Robison, 2 days	2 00
Calvin Carney, 1 day, and 34 miles	3 84
Samuel Bailey, 1 day, and 24 miles	2 94
Joseph Doty, 1 day, and 28 miles	3 24
Michael Horim, 2 days, 34 miles	4 84
	32 38

Sheriff Horim's fees:

Summoning 8 witnesses, and 1 *non est*	$6 35

Coroner Johnson's fees:

Summoning 3 witnesses	$2 25

STATE OF MISSOURI, *County of Barry:*

I, John Carney, justice of the county court of said county, hereby certify the foregoing and within fees are correctly charged and allowed

Given under my hand this 4th day of April, 1865.

JOHN CARNEY,
Justice County Court Barry County, Mo.

D.

JOHN R. KELSO:

SIR: Take notice that on the 22d day of February, A. D. 1866, between the hours of eight o'clock a. m. and six o'clock p. m. of that day, at the office of the probate and common pleas court in the court-house (being the fourth room on the south side of the lower hall of said court-house) in the city of Springfield, county of Greene, and State of Missouri, the depositions of James Long, Frank Duffey, G. W. Cooper, J. L. McCraw, J. T. Rice, W. J. Ferguson, Mr. Ward, and Stephen H. Julian, of the county of Greene, and State of Missouri; and also John W. Goldston, of Bolivar, county of Polk, and State of Missouri; and G. W. Taylor and S. N. Gideon, of the county of Christian, and State of Missouri; and Captain Allsup, of the county of Webster, and State of Missouri, will be taken before Benjamin Kite, mayor of the city of Springfield, State of Missouri; to be read in evidence in the matter of the contest by me, for the seat in the House of Representatives of the Congress of the United States, as representative from the 4th congressional district of the State of Missouri to the 39th Congress of the United States; and that the taking of said depositions, if not completed on that day, will be continued from day to day at the same place, before the same officer, and between same hours, until completed.

S. H. BOYD.

Executed the within notice in Greene county, Missouri, by delivering a true copy of the same at the house of John R. Kelso, being his usual place of abode, to his wife, a white member of his family over 15 years of age, this 12th day of February, A. D. 1866.

L. A. PATTERSON, *Sheriff.*
By E. P. GOTT, *Deputy Sheriff.*

Depositions of witnesses produced, sworn and examined at the office of the clerk of the county court in the city of Springfield and State of Missouri, (being the second room on the south side of the lower hall of the court-house in said city,) and to which room, by the agreement of the counsel of both John R. Kelso and S. H. Boyd, the place for taking said depositions had been changed from the room designated in the preceding notice, before me, the undersigned, mayor of the city of Springfield, in the cause now pending, in which S. H. Boyd is contestant for the seat now held by John R. Kelso, as representative from the fourth congressional district of Missouri, on the part of S. H. Boyd.

S. H. Julian, of lawful age, being duly sworn and examined, deposes and says:

Question. Did you occupy any position in the federal army during the rebellion? If so, state what that position was.

Answer. I was captain of battery I, 2d Missouri light artillery.

Question. Have you in your possession any records of the ages of the men of said battery I?

Answer. I have a copy of the descriptive book of the company.

Question. Who made out that copy; in whose possession has it always been; and is it a true and perfect copy?

Answer. It was made out by the company clerk; it has been in my possession all the time, and it is a correct copy.

Question. Will you refer to that book and from it tell the ages of Elonza P. Edmonson, Franklin C. Henderson, Samuel O. Brown, Matthew Small, William A. Philips, Taylor Biggs, William Noblett, William M. McCroskey, Josiah M. Grantham, R. D. O. Nicholson, John A. Perriman, at the date of their enlistment, and also give date of enlistment?

Answer. Elonza P. Edmonson was 18 years of age at date of enlistment; he enlisted November 25, 1863.

Franklin C. Henderson was 19 years old at the date of enlistment; he enlisted January 5, 1864.

Samuel O. Brower was 18 years of age at date of enlistment, December 9, 1863.

Matthew Small was 19 years of age at date of enlistment December 5, 1863.

William A. Philips was 18 years of age, January 29, 1864, date of enlistment.

Taylor Biggs was 18 years of age at date of enlistment, December 24, 1863.

William Noblitt was 18 years of age at date of enlistment, December 7, 1863.

William M. McCroskey was 19 years of age when he enlisted, December 2, 1863.

Josiah M. Grantham was 18 years of age, November 29, 1863, date of enlistment.

R. D. O. Nicholson was 19 years of age at date of enlistment, November 29, 1863.

John A. Perriman was 18 years of age at date of enlistment, January 4, 1864.

Question. Do you know whether the men whose names have been mentioned voted at the election held on the 8th day of November, 1864?

Answer. According to the poll-books, they did vote.

Question. Do you know for whom they voted for Congress from the fourth congressional district of Missouri?

Answer. They voted for John R. Kelso.

S. H. JULIAN.

Sworn to and subscribed before me, this 22d day of February, 1866.

BENJAMIN KITE, *Mayor.*

Cross-examined:

Question. Were you acquainted with Henry T. Howard, William Noblett, William C. Julian, William Tatum, Seaton Biggs, James M. Rook, Alonzo Edmonson and John D. Cooper, and did they belong to the company spoken of by you?

Answer. I was acquainted with them and they belonged to said company.

Question. What was the age of Henry T. Howard at the time of enlistment?

Answer. He was twenty years of age at time of enlistment, and was enlisted December 1st, 1863.

Question. Did he vote in said election for congressman? and if so, for whom did he vote?

Answer. He voted in such election, and for S. H. Boyd for congressman.

[Objected to, because the statement of witness not the best evidence, the poll-book being the best evidence.]

Question. What was the age of William Noblett at the time of enlistment?

Answer. William Noblett was eighteen years of age at the time of enlistment, and was enlisted December 7, 1863.

Question. Did he vote in such election; and if so, for whom did he vote for congressman?

Answer. According to poll-book he voted in such election and for John R. Kelso for Congress.

Question. Does the poll-book show that he also voted for S. H. Boyd; and that in footing up the votes for each candidate, his vote is counted for Boyd as well as for Kelso?

Answer. The footing up of said poll-book shows that his vote was counted for both Boyd and Kelso.

Question. What was the age of William C. Julian at the time of his enlistment?

Answer. He was a little over twenty-one years of age.

Question. What was the age of William Tatum at the time of enlistment?

Answer. The descriptive book shows that he was twenty years of age at time of enlistment, and was enlisted December 13, 1863.

Question. Did he vote at such election; and if so, for whom did he vote for congressman?

Answer. From the poll-book of said company it is shown that he voted, and voted for Boyd for congressman.

Question. What was the age of Seaton Biggs at the time of his enlistment?

Answer. The descriptive book shows that he was eighteen years of age at the time of enlistment, and was enlisted November 27, 1863.

Question. Did he vote at such election; and if so, for whom did he vote for congressman?

Answer. The poll-book shows that he did, and that he voted for S. H. Boyd for Congress.

Question. What was the age of James M. Rook at the time of his enlistment?

Answer. He was eighteen years old at the time of enlistment, and was enlisted 25th day of December, 1863, as shown by such record.

Question. Did he vote in such election; and if so, for whom did he vote for congressman?

Answer. Yes; the poll-book shows that he did, and voted for S. H. Boyd for Congress.

Question. What was the age of Alonzo Edmondson at the time of his enlistment?

Answer. As shown by said record it was eighteen years, and he was enlisted 25th day of November, 1863.

Question. Did he vote at such election; and if so, for whom did he vote for congressman?

Answer. From the poll-book he voted at such election, and his vote, as shown by the poll-book, was cast and counted for both S. H. Boyd and John R. Kelso.

Question. What was the age of John D. Cooper at the time of his enlistment?

Answer. The descriptive book shows his age was nineteen at the time of enlistment, and that he was enlisted 13th day of December, 1863.

Question. Did he vote at such election; and if so, for whom did he vote for congressman?

Answer. Yes; according to poll-book, he voted for S. H. Boyd for congressman at such election.

Question. Have you any knowledge of the ages of the persons spoken of in the direct and cross-examination, except from said book, "descriptive book," you speak of?

Answer. None, except as to William Julian, with whose age I am personally acquainted.

Question. Do you know for whom any of such persons voted, of your personal knowledge?

Answer. I know that they voted and for whom they voted only from the poll-book now on file in the office of the clerk of county court of Greene county, Missouri, returned from said company.

Question. Examine such poll-book, and state whether the judges and clerks of such election held in said company give a certificate as to the votes given, and for whom they were given.

Answer. Yes; such a certificate is appended to such poll-book.

(Counsel for Boyd objects to all questions and answers relative to the statements of said poll-books, on ground that poll-book is the best evidence of its own contents.)

Re-examined by attorney for Boyd.

Question. Do you know the custom observed in the regiment to which you belonged with regard to entering on the muster-roll or descriptive list the ages of persons enlisted?

Answer. Yes; it was the custom to enter on the descriptive list the age of the persons enlisted, as of the anniversary of their last birthday.

Question. If a person presented himself for enlistment who was within a short time of twenty-one years of age, how was his age entered on the list?

Answer. He was entered as twenty years of age.

Question. Do you know the respective ages of Henry T. Howard and William Tatum on the 8th day of November, 1864?

Answer. No, sir; I do not.

S. H. JULIAN.

Sworn to and subscribed before me this 22d day of February, 1866.

BENJAMIN KITE, *Mayor.*

James Long, of lawful age, being duly sworn, deposes and says:

Question. Were you in the federal army on the 8th day of November, 1864?

Answer. I was; I was second lieutenant company A, 46th Missouri volunteers.

Question. Where were you on that day, and what were you doing?

Answer. I was in command of an escort on the road from Springfield to Rolla.

Question. Were you in Lebanon, Laclede county, on that day?

Answer. I arrived in Lebanon before the polls closed that day.

Question. Do you know of any illegal votes cast on that day at Lebanon?

Answer. There were men who told me they voted who did not belong to the district, and some of whom did not belong to the State.

Question. How many men told you they voted who did not belong to the district?

Answer. Some twelve or fifteen.

Question. Did they tell you for whom they voted for Congress from the fourth congressional district, or whether they voted for anybody?

Answer. They told me they had voted for John R. Kelso.

Question. Did they tell you they did not belong to the district?

Answer. Yes, sir.

Question. Did they say why they voted for congressman?

Answer. I asked them why they voted, and they said they had been soldiers in Missouri for one, two, and three years, and they thought that gave them right enough; and also the tickets were given them, and they were told to take off all the names off of the ticket they wished; they said they voted the ticket through, and they said the tickets had John R. Kelso's name on it for Congress from the fourth congressional district.

JAMES LONG.

Sworn to and subscribed before me this 22d day of February, 1866.

BENJAMIN KITE, *Mayor.*

John L. McCraw, of lawful age, being produced, sworn, and examined, deposes and says:

Question. Where do you live, and do you occupy any official position in the State or county?

Answer. I live in Greene county, Missouri; am holding the office of county surveyor, and have a commission from the governor as supervisor of registration for the county of Greene.

Question. State what you know with regard to T. A. Trantham and A. J. Yeary voting at the election on the 8th day of November, 1864, and for whom they voted for congressman from the fourth congressional district of Missouri?

(Question objected to by counsel for Kelso, because the record of such election is the only competent evidence to show who voted and for whom they voted.)

Answer. They each one told me that he had voted in said election, and had voted for John R. Kelso for Congress.

Question. State what you know with regard to the ages of each of these men.

Answer. I am well acquainted with A. J. Yeary, and know that he is not twenty-one years of age yet; and that Trantham is not twenty-one years of age yet, either.

JOHN L. McCRAW, Sr.

Sworn to and subscribed before me this 22d day of February, 1866.

BENJAMIN KITE, *Mayor.*

Not being able to complete the taking of said depositions by reason of want of time, I adjourn the further taking of the same until to-morrow morning at eight o'clock, then to be continued at the same place to which we adjourned, as per previous order, and between the same hours mentioned in the annexed notice.

BENJAMIN KITE, *Mayor.*

Pursuant to adjournment, as above stated, on the 23d day of February, 1866, between the hours of eight o'clock in the forenoon and six o'clock in the afternoon, at the office of the clerk of the county court, I continued the taking of said depositions as follows, viz:

James Long being recalled and cross-examined by counsel for John R. Kelso:

Question. State how many illegal votes you know to have been given in the election held on the 8th day of November, 1864?

Answer. Some twelve or fifteen told me they had voted at such election at Lebanon, Laclede county, Missouri, and also told me that they did not reside in this congressional district, but resided in Ohio, Indiana, and in North Missouri.

Question. Are you positive that as many as fifteen told you this?

Answer. I am positive that twelve told me so; am not certain that fifteen men told me this.

Question. Do you know, of your own knowledge, that they did vote at such election?

Answer. I do not; they were bragging how they had voted; said the judges of election had told them to take off all names on the ballot that they could not vote for, but that they had voted the whole ticket, and for John R. Kelso for Congress.

Question. Do you know whether the ballots of the men you speak of were rejected, or not, by the judges of election, or what action was taken by the judges of election in relation to such votes?

Answer. I do not.

Re-examined:

Question. What did these men tell you about their votes being received?

Answer. They said there were no questions asked them after they handed their ballots in.

JAMES LONG.

Sworn and subscribed before me this 23d of February, 1866.

BENJAMIN KITE, *Mayor.*

J. S. Rice, of lawful age, being duly sworn, deposes and says:

Question. Are you acquainted with John H. Thomas, S. M. C. Reynolds, and Jasper N. Jones?

Answer. Yes, sir.

Question. Were they citizens or soldiers on the 8th day of November, 1864?

Answer. They were soldiers belonging to the 6th Missouri State militia cavalry.

Question. Do you know where those men resided?

Answer. They reside now in Caldwell, Ray, and Linn counties, Missouri.

Question. Where did they reside before enlistment?

Answer. They resided in Caldwell, Ray, and Linn counties.

Question. Do you know whether these three men voted on the 8th day of November, 1864; and if so, where did they vote?

Answer. They told me they voted at Springfield on the 8th day of November, 1864, and voted for John R. Kelso for Congress, from the fourth congressional district of Missouri, on that day.

(Kelso's counsel objected to question, on the ground that it is secondary testimony, there being record evidence.)

Cross-examined by counsel for Kelso:

Question. Do you know, of your own knowledge, that John H. Thomas, S. M. C. Reynolds, and Jasper N. Jones voted at the election held 8th of November, 1864?

Answer. They told me they voted; that is all I know about it.

Question. Have you any knowledge as to whether the ballots of said persons were received by the judges of election; and if so, what action was taken by such judges in relation to them?

Answer. I do not know whether they were received or not.

Question. How long had those persons been living in this place?
Answer. I can't say; they had been living here but a short time.
Question. When did they come to this congressional district?
Answer. The command to which they belonged came here the last of the year 1863.

Re-examined:

Question. When you say they were living here, do you mean they were here on duty as soldiers?
Answer. I do.
Question. Do you know where they went when mustered out of service?
Answer. They went home to the counties before mentioned, where they resided.

JOSEPH F. RICE.

Sworn to and subscribed before me this 23d day of February, 1866.

BENJAMIN KITE, *Mayor.*

I, Benjamin Kite, mayor of the city of Springfield, State of Missouri, do hereby certify that S. H. Julian, James Long, John L. McCraw, and Joseph T. Rice, the deponents, who are residents of the county of Greene and State of Missouri, were by me duly sworn to testify the whole truth of his knowledge touching the matter in controversy in the cause aforesaid, and that their depositions were reduced to writing, and subscribed by each in my presence, on the 22d and 23d days of February, A. D. 1866, as herein indicated, and between the hours of eight o'clock a. m. and six o'clock p. m. of said days, at the office of the county clerk, in the city of Springfield, county of Greene, and State of Missouri.

BENJAMIN KITE, *Mayor.*

E.

SPRINGFIELD, MISSOURI, *January* 12, 1866.

I have the honor to inform you that, on the fifteenth day of February next, I shall proceed to examine witnesses, whose testimony or depositions I shall use in the contested election case now pending before the United States House of Representatives, at Washington city, between you and myself. The witnesses whom I shall examine are John Bowers, Thomas Buck, William G. Bulgin, and Stephen T. Vititow, all of whom reside in the immediate vicinity of Cave Spring, Jasper county, Missouri. The examination of these witnesses will commence at ten o'clock a. m. of the day aforesaid, and if not finished on that day will continue from day to day until completed. The examination will take place at the brick school-house at Cave Spring, Jasper county, Missouri. The Hon. William B. Hamilton, presiding justice of the county court of Jasper county, will conduct the examination of said witnesses.

I am, sir, very respectfully, your obedient servant,

S. H. BOYD.

Hon. JOHN R. KELSO.

JANUARY 22, 1866.

I acknowledge the service of the within.

JOHN R. KELSO.

Depositions of witnesses produced, sworn, and examined on the 13th day of February, A. D. 1866, beginning at and after the hour of ten o'clock of said day, at the brick school-house at Cave Spring, Jasper county, Missouri, before William B. Hamilton, presiding justice of the county court within and for said county of Jasper, in a certain contested election case now pending before the United States House of Representatives, between Hon. Sempronius H. Boyd and Hon. John R. Kelso, on the part of said Sempronius H. Boyd.

William G. Bulgin, of lawful age, being produced, sworn, and examined on the part of said Sempronius H. Boyd, which was taken in the presence of Henry C. Young, agent for said Sempronius H. Boyd, (said Kelso having no agent present) and said W. G. Bulgin upon his oath saith:

Question by Henry C. Young. Were you present at the general election held on the 8th day of November, 1864, at Cave Spring, in Jasper county, Missouri?

Answer. I was.

Question by Henry C. Young. How was that election conducted; was it by *viva voce* or was it by ballot?

Answer. The election was by ballot; but there was no ballot-box to deposit the ballots in.

Question by Henry C. Young. Who were the judges of the election?

Answer. Thomas Coldwell, Thomas Buck, and John J. S. Bowers.

Question by Henry C. Young. Who swore those judges?

Answer. I do not recollect who swore the first judge, but one of the other judges.

Question by Henry C. Young. Who were the clerks?

Answer. J. S. Boyd and Samuel H. Coldwell were the clerks.

Question by Henry C. Young. Who swore the clerks?

Answer. One of the judges.

Question by Henry C. Young. Did the judges take the oath that they would not record or permit to be recorded the name of any voter who had not first taken the oath required to be taken by the first section of an ordinance defining the qualifications of voters and civil officers, passed in this State June 10, 1862?

Answer. I think they did; I am confident they did.

Question by Henry C. Young. Did the judges, or any of them, go to Carthage, the county seat of Jasper county, and cast up the vote of the county?

Answer. No, sir; they did not.

Question by Henry C. Young. What became of the poll-books?

Answer. They were left, I think, in the custody of one of the judges.

W. G. BULGIN.

Sworn to and subscribed before me this 15th day of February, A. D. 1866.

W. B. HAMILTON,

Presiding Justice of the County Court of said county.

Stephen S. Vititow, being produced, sworn, and examined on the part of the said Sempronius H. Boyd, deposeth and saith:

Question by Henry C. Young. Were you at the general election held on the 8th day of November, 1864, at Cave Spring, in Jasper county, Missouri?

Answer. It was three o'clock in the evening before I got there.

Question by Henry C. Young. How was that election conducted; was it by *viva voce* or by ballot?

Answer. I think it was by ballot.

Question by Henry C. Young. Did you see any ballot-box?

Answer. I did not.

STEPHEN S. VITITOW.

Sworn to and subscribed before me this 15th day of February, 1866.

W. B. HAMILTON,

Presiding Justice of the County Court of said county of Jasper.

Thomas Buck, a witness of lawful age, produced, sworn, and examined on the part of said Sempronius H. Boyd, in the presence of Henry C. Young, agent for said Boyd:

Question by Henry C. Young. Were you present at the general election held on the 8th day of November, 1864, at Cave Spring, Jasper county, Missouri?

Answer. I was.

Question by Henry C. Young. How was the election conducted; was it by *viva voce* or was it by ballot?

Answer. By ballot.

Question by Henry C. Young. Was there any ballot-box?

Answer. The judges could get no ballot-box, and strung the ballots.

Question by Henry C. Young. Who were the judges?

Answer. Myself, Thomas Coldwell, and John J. T. Bowers.

Question by Henry C. Young. Who were the clerks?

Answer. Samuel Caldwell and J. T. Boyd.

Question by Henry C. Young. Who swore the judges?

Answer. I swore the other two judges.

Question by Henry C. Young. Who swore you?

Answer. I think Thomas Coldwell.

Question by Henry C. Young. Who swore the clerks?

Answer. I swore the clerks.

Question by Henry C. Young. When a voter came up to vote, did he or any one else read to the clerk the candidate he voted for; and did the clerk put down on the poll-book the vote for the candidate the voter voted for?

Answer. When a voter voted it was called over by some one of the judges, and the clerks entered the vote for the candidate the voter voted for.

Question by Henry C. Young. Did the judges, or any of them, go to Carthage, and there meet other judges and cast up the vote of the county?

Answer. They did not go to Carthage to cast up the vote.

THOMAS BUCK.

Sworn to and subscribed before me this 15th day of February, A. D. 1866.

W. B. HAMILTON,
Presiding Justice.

John J. S. Bowers, of lawful age, being produced, sworn, and examined on the part of said Sempronius H. Boyd, which was taken in the presence of Henry C. Young, agent for said Sempronius H. Boyd, (said John R. Kelso having no agent present,) said John J. S. Bowers upon his oath said:

1. Question by Mr. Young. Where do you reside; what is your age; and what is your occupation?

Answer. In Jasper county, Missouri; am forty-seven years old; am a farmer.

2. Question by Mr. Young. Were you at the general election held on the 8th day of November, 1864, at Cave Spring, Jasper county, Missouri?

Answer. I was.

3. Question by Mr. Young. How was that election conducted; was it *viva voce* or by ballot?

Answer. By ballot.

4. Question by Mr. Young. Who were the judges of that election?

Answer. Thomas Buck, Thomas Coldwell, and myself.

5. Question by Mr. Young. Who swore those judges?

Answer. One of the judges swore the other two, and then one of them swore him; that is my recollection now.

6. Question by Mr. Young. Who were the clerks?

Answer. Mr. Boyd and Samuel Coldwell.

7. Question by Mr. Young. Who swore the clerks?

Answer. I don't positively recollect; but I think Mr. Buck.

8. Question by Mr. Young. When a voter came up to vote, did he or any one else read to the clerks what candidates that voter voted for; and did the clerk put down on the poll-books the vote for those candidates?

Answer. I think they did; yes, sir.

9. Question by Mr. Young. Did the judges take the oath, "That they would not record, or permit to be recorded, the name of any voter who has not first taken the oath required to be taken" by the first section of an ordinance defining the qualifications of voters and civil officers in this State, passed June 10, 1862?

Answer. I don't recollect, positively; we took an oath required by some act, but don't now recollect what.

10. Question by Mr. Young. Did the judges, or any of them, go to Carthage and there meet other judges, organize a board, and cast up the vote, as required by law?

Answer. They did not.

11. Question by Mr. Young. When a voter voted, was not his name read off, and the candidates for whom he voted?

Answer. Yes.

JOHN J. S. BOWERS.

Sworn to and subscribed before me this 15th day of February, A. D. 1866.

W. B. HAMILTON,
Presiding Justice.

STATE OF MISSOURI, *County of Jasper, ss:*

I, William B. Hamilton, presiding justice of the county court within and for the county and State aforesaid, duly authorized to administer oaths for general purposes, and to take and certify depositions of witnesses, do certify that, in pursuance of the accompanying notice, came before me, at the brick schoolhouse at Cave Spring, Jasper county, Missouri, Thomas Buck, John J. S. Bowers, Stephen S. Vititow, and William G. Bulgin, who were by me severally sworn to testify the whole truth of their knowledge touching the matters in controversy aforesaid; that they were severally examined, and their respective examinations reduced to writing, and subscribed by them respectively, in my presence, after ten o'clock of the 15th day of February, 1866, and at the place in that behalf aforesaid, and their said depositions are now herewith returned.

Witness my hand and private seal, there being no public seal, this 15th day of February, A. D. 1866.

[SEAL.]

W. B. HAMILTON,
Presiding Justice.

F.

We do solemnly swear that we will impartially discharge the duties of judges of the present election according to law. We do further swear that we will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of an ordinance entitled "An ordinance defining the qualifications of voters and civil officers in this State." So help us God.

WILLIAM K. PYLE.
WILEY S. ETHERIDGE.
ISAAC B. STAPP.

Sworn to and subscribed before me this 8th day of November, 1864.

A. MORGAN,
Justice of the Peace.

We do solemnly swear that we will faithfully record the names of all the legal voters; and we do further swear that we will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required by the first section of an ordinance entitled "An ordinance defining the qualifications of voters and civil officers in this State." So help us God.

WM. T. HASTINGS.
N. L. AYRES.

Sworn to and subscribed before me this 8th day of November, 1864.

A. MORGAN,
Justice of the Peace.

Poll-book of the election held in Captain John H. Howard's company (I) seventh provisional regiment East Missouri militia, mustered into the United States service under Special Orders No. 166, for the county of Dade, on the 8th day of November, 1864.

We, William K. Pyle, Wiley S. Etheridge, and Isaac B. Stapp, judges, and William T. Hastings and Nathaniel L. Ayres, clerks of said election, were severally sworn as the law directs previous to entering on the duties of their respective offices.

Number and names of voters.

No. 1. Robert Cowan.
2. Wick Morgan.
3. James H. Goforth.
4. Jasper N. Stockton.
5. George W. Birch.
6. James T. Cantrell.
7. George W. Messer.
8. James R. Smith.
9. James H. Lawson.
10. John Wells.
11. Thomas R. Hawkins.
12. A. Morgan.
13. John Clayton.
14. William Bowles.
15. De Kalb Bowles.
16. Thomas J. Meeks.
17. W. L. A. Cowan.
18. Wilson C. Cantrell.
19. George T. Dodson.
20. James M. Morris.
21. M. W. Hoover.
22. Samuel W. Steagall.
23. James W. Hoover.
24. N. L. Ayres.
25. Wiley S. Etheridge.
26. Isaac B. Stapp.
27. William K. Pyle.
28. W. T. Hastings.
29. William M. Goforth.
30. John H. Howard.
31. James P. Stockton.

It is hereby certified that the number of voters of this election amounts to thirty-one.

WILLIAM K. PYLE,
WILEY S. ETHERIDGE,
ISAAC B. STAPP,
Judges.

Attest:
WM. T. HASTINGS,
N. L. AYRES,
Clerks.

Names of persons voted for and for what office, containing the number of votes given each candidate.

For governor: Thomas C. Fletcher had 26 votes; Thomas L. Price had none.

For lieutenant governor: George Smith had 25 votes; L. W. Burris had none.

For secretary of state: Francis Rodman had 25 votes; James McFerren had none.

For auditor: Alonzo Thompson had 25 votes; C. C. Rogers had none.

For treasurer: Wm. Bishop had 25 votes; G. C. Bingham had none.

For register of lands: Jared E. Smith had 25 votes; W. P. Billings had none.

For attorney general: R. F. Wingate had 25 votes; A. M. Woolfolk had none.

For Congress: S. H. Boyd had 8 votes; John R. Kelso had 21 votes; P. B. Larimore had none; M. J. Hubble had none.

For the convention, had 21 votes; against the convention, had none.

For delegates to the convention: J. T. Rankin had 17 votes; E. V. Lafoon had 7 votes; Philip Rohrer had 16 votes.

For presidential electors: Lincoln and Johnson ticket—S. O. Scofield had 30 votes; C. D. Drake had 30 votes; Lucien Eaton had 30 votes; Barnabas Smith had 30 votes; J. C. Killian had 30 votes; H. J. Lindenbower had 30 votes; George R. Smith had 30 votes; Charles Carpenter had 30 votes; I. C. Parker had 30 votes; W. Smith had 30 votes; J. T. C. Fagg had 30 votes. McClellan and Pendleton ticket—Christian Krebber had no votes; James H. Moss had no votes; W. H. Lackland had no votes; D. H. Armstrong had no votes; F. A. Rogin had no votes; D. C. Dade had no votes; J. E Belch had no votes; E. H. Norton had no votes; J. P. Grubb had no votes; H. S. Lipscomb had no votes; J. E. Hutton had no votes.

For senator: J. J. Gravely had 22 votes.

For circuit attorney: Joseph Estes had 10 votes; G. W. Randolph had none.

For representative: Jesse Jones had 13 votes; Wm. Denby had 12 votes.

For sheriff: J. W. Carmack had 23 votes.

For county judge: Benj. Appleby had 13 votes; Willis Dodson had 1 vote.

For probate judge: Nelson McDowell had 14 votes.

For county treasurer: Arch. M. Lang had 7 votes.

For county surveyor: E. S. Rook had 17 votes.

For assessor: C. S. Jacobs had no votes; A. C. Hayward had 28 votes.

For constable: James Campbell had 9 votes.

We hereby certify that Thomas C. Fletcher had 26 votes for governor. (Here follows the repetition of the names as above, with the number of votes given each, the same as set forth in the foregoing table.)

WILLIAM K. PYLE,
WILEY S. ETHERIDGE,
ISAAC B. STAPP,
Judges.

WM. T. HASTINGS,
N. L. AYRES,
Clerks.

STATE OF MISSOURI, *County of Dade:*

I, Nelson McDowell, clerk of the county court within and for the county of Dade and State of Missouri, certify that the foregoing is a correct, perfect, and true copy in every particular of the poll-book of company I, seventh provisional regiment enrolled militia, at the general election on the 8th day of November, 1864, for governor, members of Congress, &c. I further certify that

the 21 votes on said poll-book given for John R. Kelso were cast up for him and included in the number of votes I certified to the secretary of state of Missouri that John R. Kelso got for Congress in Dade county, Missouri, at said general election. I further certify that the 8 votes on said poll-book given for S. H. Boyd were cast up for him and included in the number of votes I certified to the secretary of state of Missouri that S. H. Boyd got for Congress at said election.

In testimony whereof, I have hereto set my hand and affixed the seal of said court. Done at office, in Greenfield, Missouri, this 20th day of November, 1865.

[SEAL.] NELSON McDOWELL, *Clerk.*

STATE OF MISSOURI, *County of Dade:*

I, Mark A. Garrison, presiding justice of the county court of Dade county, Missouri, which court is a court of record, certify the attestation of Nelson McDowell, clerk of the county court, is in due form and by the proper officer.

Given under my hand this 23d day of November, 1865.

M. A. GARRISON,
President of the County Court.

G.

I do hereby appoint J. J. Moss, G. L. Gillespie, J. H. Acons, members of A company, 6th provisional regiment Missouri E. M. M., as judges to hold the present election.

We do solemnly swear that we will impartially discharge the duties of judges of the present election, according to law, to the best of our ability: so help us God.

J. J. MOSS.
G. L. GILLESPIE.
J. H. ACONS.

Sworn to and subscribed before me this 8th day of November, 1864.

S. A. HARSHBARGER,
Lieut. Com'dg Detch't Co. A, 6th Prov. Reg't E. M. M.

We hereby appoint J. J. Boyd and W. M. Foust as clerks of the present election.

J. J. MOSS.
G. L. GILLESPIE.
J. H. ACONS.

We do solemnly swear that we will faithfully record the names of the persons for whom each voter votes.

J. J. BOYD.
W. M. FOUST.

Sworn to and subscribed before me this 8th day of November, 1864.

S. A. HARSHBARGER,
Lieut. Com'dg Detch't Co. A, 6th Prov. Reg't E. M. M.

Poll-book for the electors from Dade county, Missouri, belonging to Captain R. M. Hayter's (A) company, in the 6th Prov. E. M. M. regiment Missouri twenty-months volunteers, at Cassville, Missouri, November 8, 1864.

Voters' names.	For President, Abraham Lincoln; for Vice-President, Andrew Johnson. For electors.												For President, George B. McClellan; for Vice-President, Geo. H. Pendleton. For electors.												For governor.	For lieutenant governor.	For sec'y of state.	For Congress.	
	T. J. C. Fagg.	W. Smith.	J. C. Parker.	Charles Carpenter.	George R. Smith.	H. J. Lindenbower.	James C. Killian.	Barnabas Smith.	Lucien Eaton.	C. D. Drake.	S. O. Schofield.	J. E. Hutton.	Henry S. Lipscomb.	Joseph P. Grubb.	Elijah H. Norton.	J. Edward Belch.	Dabney C. Dade.	Firman A. Rozier.	David H. Armstrong.	Wm. H. Lackland.	James H. Moss.	Christian Kribben.	T. C. Fletcher.	T. L. Price.	George Smith.	Lake W. Burris.	Francis Rodman.	James McFerran.	S. H. Boyd.	J. R. Kelso.
Stephen C. Gray	1	1	1	1	1	1	1	1	1	1	1												1		1		1		1
John C. Kirby	1	1	1	1	1	1	1	1	1	1	1												1		1		1			1
James Kesley	1	1	1	1	1	1	1	1	1	1	1												1		1		1		1	
William Gothar	1	1	1	1	1	1	1	1	1	1	1												1		1		1			1
George Davis	1	1	1	1	1	1	1	1	1	1	1												1		1		1			1
J. J. Gravely	1	1	1	1	1	1	1	1	1	1	1												1		1		1		1	
S. A. Harshbarger	1	1	1	1	1	1	1	1	1	1	1												1		1		1			1
G. L. Gillaspa	1	1	1	1	1	1	1	1	1	1	1												1		1		1			1
R. A. Kimmons	1	1	1	1	1	1	1	1	1	1	1																			1
John Person	1	1	1	1	1	1	1	1	1	1	1												1		1		1			1
J. H. Acon	1	1	1	1	1	1	1	1	1	1	1												1		1		1			1
J. W. Nickle	1	1	1	1	1	1	1	1	1	1	1												1		1		1			1
J. W. Harshbarger	1	1	1	1	1	1	1	1	1	1	1												1		1		1			1
W. M. Foust	1	1	1	1	1	1	1	1	1	1	1												1		1		1			1
J. J. Boyd	1	1	1	1	1	1	1	1	1	1	1																		1	
A. H. Mackey	1	1	1	1	1	1	1	1	1	1	1												1		1		1			1
John Newton	1	1	1	1	1	1	1	1	1	1	1												1		1		1			1
Total	17	17	17	17	17	17	17	17	17	17	17												16		16		16		3	14

We hereby certify that Abraham Lincoln, for President, and Andrew Johnson, for Vice-President: For presidential electors—S. O. Scofield received 17 votes; C. D. Drake received 17 votes; Lucien Eaton received 17 votes; Barnabas Smith received 17 votes; James C. Killian received 17 votes; H. J. Lindenbower received 17 votes; George R. Smith received 17 votes; Charles Carpenter received 17 votes; J. C. Parker received 17 votes; W. Smith received 17 votes; J. T. C. Fagg received 17 votes. George B. McClellan, for President, and George H. Pendleton, for Vice-President: For presidential electors—(here follows the names of the electors for McClellan and Pendleton, who received no votes.) T. C. Fletcher, for governor, received 17 votes, and T. L. Price, for governor received — votes; George Smith, for lieutenant governor, received 17 votes, and Luke W. Burris, for lieutenant governor, received — votes; (and the other State officers then follow, one side receiving 17 votes each, and the other side none.) John R. Kelso, for Congress, received 14 votes; S. H. Boyd, for Congress, received 3 votes; J. Gravely, for State senate, received 12 votes; J. Jones, for representative, received 6 votes; for no convention, 4 votes.

STATE OF MISSOURI, *County of Dade, ss:*

I, Nelson McDowell, clerk of the county court within and for the county of Dade and State of Missouri, certify that the foregoing document is a correct, perfect, and true copy in every particular of the poll-book of company A, 6th provisional regiment enrolled Missouri militia, (except that some of the State officers and candidates, and some of the county and district candidates' names are left out,) at the general election on the 8th day of November, 1864, for governor, members of Congress, &c. I further certify that the 14 votes on said poll-book given for John R. Kelso were cast up for him and included in the number

of votes I certified to the secretary of the State of Missouri that John R. Kelso got for Congress in Dade county, Missouri, for Congress at said general election.

I further certify that the three votes on said poll-book given for S. H. Boyd were cast up for him and included in the number of votes I certified to the secretary of state of Missouri that S. H. Boyd got for Congress at said election.

In testimony whereof, I have hereto set my hand and affixed the seal of said court. Done at office, in Greenfield, Missouri, this 20th day of November, 1865.

[SEAL.]

NELSON McDOWELL, *Clerk.*

STATE OF MISSOURI, *County of Dade, ss:*

I, Mark A. Garrison, presiding justice of the county court of Dade county, Missouri, which court is a court of record, certify the attestation of Nelson McDowell, clerk of the county court, is in due form and by the proper officer.

Given under my hand this 23d day of November, 1865.

M. A. GARRISON,
President of County Court.

H.

Poll-book for the electors from Polk county, Missouri, belonging to Captain ———, —— regiment of Missouri ———, at ———, November 8, 1864.

FOR CONGRESS.

Names of voters.	S. H. Boyd.	J. R. Kelso.	P. B. Larimore.
Henry McCabe	.....	1	.....
Joseph C. Stockton	.....	1	.....
Philip Phelps	.....	1	.....
William Hase	.....	1	.....
Absalom Davis	.....	1	.....
Anderson Davis	.....	1	.....
James F. Hook	1	.....	.....
James H. Wright	.....	1	.....
Robert Greer	.....	1	.....
Emanuel Miller	.....	1	.....
James M. Hale	.....	1	.....
James J. Davison	.....	1	.....
A. C. Lane	.....	1	.....
R. M. Howe	.....	1	.....
Josephus Amermon	1	.....	.....
James B. Shaw	.....	1	.....
John Raddy	.....	1	.....
Emett B. Ross	.....	1	.....
B. R. Evans	.....	1	.....
W. C. Hopper	.....	1	.....
E. E. Onsborn	.....	1	.....
R. W. McMaster	.....	1	.....
Robert Wells	.....	1	.....
J. N. Johnson	.....	1	.....
A. J. Tillerry	.....	1	.....
T. A. Wakefield	.....	.....	.....
Abner B. Hughes	1	.....	.....
John Neil	.....	1	.....
Robert N. Leith	.....	1	.....
A. J. House	1	.....	.....
C. C. Allen	.....	1	.....
Samuel Turner	1	.....	.....

We hereby certify that S. H. Boyd, for Congress, received five votes; John R. Kelso, for Congress, received twenty-seven votes.

THOMAS A. WAKEFIELD,
ANDREW J. HOUSE,
JOHN NEIL,
Judges.

Attest:
ABNER B. HUGHES,
ROBERT N. LEITH,
Clerks.

I do hereby appoint Thomas A. Wakefield, Andrew J. House, John Neil, members of company —, eighth regiment Missouri State militia, as judges, to hold the present election.

———— ————.

We do solemnly swear that we will impartially discharge the duties of judges of the present election according to law, to the best of our ability: So help us God.

THOMAS A. WAKEFIELD.
ANDREW J. HOUSE.
JOHN NEIL.

Sworn to and subscribed before me this 8th November, A. D. 1864.

HENRY McCABE,
Captain 8th Reg't M. S. M.

We hereby appoint Abner B. Hughs and Robert N. Leith as clerks of the present election.

THOMAS A. WAKEFIELD.
ANDREW J. HOUSE.
JOHN NEIL.

We do solemnly swear that we will faithfully record the names of the voters and distinctly carry out in lines and columns the name of the person for whom each voter votes.

ABNER B. HUGHS,
ROBERT N. LEITH.

Sworn to and subscribed before me, this 8th day of November, 1864.

HENRY McCABE.

STATE OF MISSOURI, *County of Polk:*

I, T. W. Cunningham, clerk of the county court within and for the county and State aforesaid, do hereby certify that the above and foregoing is a true copy of the original poll-books now on file in my office, so far as the same relates to the candidates' names for Congress in the fourth congressional district of Missouri, held on the 8th day of November, A. D. 1864; and I further certify that the same was counted and certified to the secretary of state, as required by law.

In witness whereof, I, Thomas W. Cunnyngham, clerk of said court, have hereto signed my name and affixed the seal of said court, at office, in Bolivar, November 24, 1865.

[SEAL.]

T. W. CUNNYNGHAM, *Clerk,*
By W. L. SNODGRASS, *D. C.*

I.

STATE OF MISSOURI, *County of Laclede, ss:*

Poll-book of an election of company L, of 6th provisional regiment of Missouri enrolled militia, held at company headquarters, Lebanon, Missouri, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors, for President, Vice President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and atttorney general for the State of Missouri, State senator, State representative in the legislature, for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, jailer, coroner, and justices of the county court, for Laclede county; ——— ——— being judges, and ——— ——— being clerks of said election, who were severally sworn as the law directs previous to their entering on the duties of their respective offices.

STATE OF MISSOURI, *County of Laclede, ss:*

We, ——— ———, do swear that we will impartially discharge the duty of judges of the present election according to law and the best of our abilities, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters and civil officers in Missouri.

PETER HUFFT.
FRANCIS M. ATCHLEY.
WM. T. MONDAY.

Sworn to and subscribed before me, the 8th day of November, 1864.

Lieut. R. E. JOHNSON,
Company Commanding Officer.

COUNTY OF LACLEDE, *ss:*

We, ——— ———, do swear that we will faithfully record the names of all the voters at the present election, and distinctly carry out in lines and columns the name of the person for whom each voter votes, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters.

V. ADKINS.
B. F. ALEXANDER.

Sworn to and subscribed before me the 8th day of November, 1864.

PETER HUFFT,
One of the Judges of Election.

FOR CONGRESS—FOURTH DISTRICT.

No.	Voters' names.	Residence.	John R. Kelso.	S. H. Boyd.
1	R. E. Johnson	Laclede county, Mo	1	....
2	William Phillips	Dallas county, Mo	....	1
3	J. P. Ivey	Laclede county, Mo	1	....
4	O. Y. Butcher	do do do	1	....
5	Samuel Rodgers	do do do	1	....
6	C. W. Rubey	do do do	1	....
7	W. H. Hensley	do do do	1	....
8	R. D. Davis	do do do	1	....
9	J. T. Young	do do do	1	....
10	William T. Huyen	Dallas county, Mo	1	....
11	G. H. Cheney	Laclede county, Mo	1	....
12	A. J. Carter	do do do	1	....
13	John Hufft	do do do	1	....
14	Lewis Hufft	do do do	1	....
15	H. T. Hinks	do do do	1	....
16	R. H. Hendrix	Pulaski county, Mo	1	....
17	J. V. Elder	Laclede county, Mo	1	....
18	M. L. Spence	do do do	1	....
19	J. C. Esther	do do do	1	....
20	Bird Freeman	do do do	....	....
21	B. F. Alexander	do do do	1	....
22	W. T. Monday	do do do	1	....
23	F. M. Atchley	do do do	1	....
24	Vasa Adkins	do do do	1	....
25	Peter Hufft	do do do	1	....
26	M. V. Elder	do do do	1	....

It is hereby certified that the number of voters at this election amounted to twenty-six.

PETER HUFFT,
FRANCIS M. ATCHLEY,
W. T. MONDAY,
Judges of Election.

Attest:
VASA ADKINS,
B. F. ALEXANDER,
Clerks.

THE STATE OF MISSOURI, *County of Laclede, ss:*

Abstract of votes given at an election held at Lebanon, Missouri, in company L, 6th provisional regiment enrolled Missouri militia, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general of the State of Missouri, a senator and a representative in the legislature, for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court, for ——— county.

Names of persons voted for, and for what office, and the number of votes given each candidate.

For Congress, fourth district, S. H. Boyd had one vote; John R. Kelso had twenty-four votes.

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election. Witness our hands this the 8th day of November, 1864.

PETER HUFFT,
WM. T. MONDAY,
FRANCIS M. ATCHLEY,
Judges.

Attest:

VASA ADKINS,
B. F. ALEXANDER,
Clerks.

STATE OF MISSOURI, *County of Laclede, ss:*

I, John L. Herndon, clerk of the county court within and for the county and State aforesaid, do hereby certify that the foregoing is truly copied from the original now on file in my office, so far as it regards the congressional election in said county for a representative to Congress.

In witness whereof, I have hereunto set my hand and affixed the seal of said court at office, this 24th day of October, A. D. 1865.

[SEAL.] JOHN L. HERNDON, *Clerk.*

K.

Poll-book of an election held in King's Prairie precinct of McDonald township, in Barry county, Missouri, on Tuesday, the 8th day of November, A. D. 1864, whereat Hood Tate, Amos Calvin, and John Goodnight, were judges, and Michael Hovin and G. H. Jackson were clerks of said election, all of whom were duly sworn before entering upon the discharge of their duties.

Number and names of voters.

1. William W. Lee.
2. Thomas Crumby.
3. James B. Smith.
4. John Henry.
5. Amos A. Kelly.
6. Jonathan Blankenship.
7. Robert S. Purviras.
8. Simeon Powers.
9. Lewis Smith.
10. Morgan Dalton.
11. Pleasant P. Henderson.
12. Lewis Mattingly.
13. Cornelius Westford.
14. Joel Boyd.
15. James Roden.
16. Henry Farr.
17. Enoch Davis.
18. Benjamin Whittington.
19. John Crumby.
20. Silas Mondy.
21. Asa Carlin.
22. James Riddle.
23. Gilbert L. Carlin.
24. John H. Crawford.
25. Martin B. Sooter.
26. George W. Morbilt.
27. L. P. Stringer.
28. James H. McKinny.
29. Stephen Adams.
30. Tillmor Edwards.
31. N. F. Morbilt.
32. Joshua Thomas.

33. James M. Morbilt.
34. H. J. Smith.
35. George Badger.
36. John B. Thomas.
37. George M. Goodnight.
38. J. H. Kennedy.
39. John A. Smith.
40. Charles H. Lance.
41. Moses E. Banks.
42. Thomas Smith.
43. Houstin Morbilt.
44. William Stringer.
45. Gideon Jackson.
46. John Goodnight.
47. Amos Carlier.
48. Michael Hervine.
49. Hood Tate.
50. William Todd.
51. Chester Dagget.

For President electors, McClellan: Kibbon, none; Moss, none; Dade, none
For President electors, Lincoln: Schofield, 45; Drake, 45; Lindenbower, 45
For governor: Price, none; Fletcher, 45.
For lieutenant governor: Burris, none; Smith, 43.
For secretary of state: McFerran, none; Rodman, 43.
For auditor: Rizier, none; Thompson, 43.
For treasurer: Bingham, none; Bishop, 43.
For register of lands: Billings, none; J. C. Smith, 43.
For attorney general: Woolfock, none; Wingate, 43.
For congress: Boyd, 3; Kelsor, 39.
For circuit attorney: Randolph, none; Estes, 23.
For convention 44; against convention, none.
For delegates to convention: Gilbert, 15; Irammer, 32.
For representatives: William Ray, 13; J. W. Boone, 15; M. E. Banks, 16.
For county judges: John Carny, 22; Lieut. Hovin, 29; Lieut. Wilson 2; L. D. Bullock, 23.
For probate judge: J. R. Smith, none; Thomas Lusk, 7.
For circuit and county clerk: John Ray, none; G. L. Carlier, 37.
For sheriff: E. Williams, 9; Jacob Hawk, 33.
For assessor: Patrick Haupbill, none; W. W. Lee, 18.
For public administrator: Buck Durham, none; A. Farr, 10.
For treasurer: James Swindle, none.
For coroner: William Johnson, 3.
For surveyor: Isham Williams, none.
For justice of the peace: H. Farr, 12.
For constable: Enoch Davis, 10.

It is duly certified that the total number of votes polled was fifty-one (51,) and that Christian Kribbin had — votes for elector; and James H. Moss had — votes for elector; and Dabney C. Dade had — votes for elector; and C. S. Schofield had forty-five (45) votes for elector; and G. D. Drake had forty-five (45) votes for elector; and J. J. Lindenbower had forty-five (45) votes for elector; and Thomas L. Price had — votes for govornor; and Thomas C. Fletcher had forty-three (43) votes for governor; and Luke W. Burris had — votes for lieutenant governor; and George Smith had forty-three (43) votes for lieutenant governor; and Rodman had forty-three (43) votes for secretary of state; and A. Thompson had forty-three (43) votes for auditor of public accounts; and Bishop had forty-three (43) votes for treasurer; and J. E. Smith had forty-three (43) votes for register of lands; and Wingate had forty-three votes for attorney general; and J. R. Kelso had thirty-nine (39) votes for congress; S. H. Boyd had three (3) votes for congress; and Joseph Estes had twenty-three (23) votes for circuit attorney; and for convention, forty-four votes; and treasurer, thirty-two (32) votes; for delegates to state convention, and Gilbert has fifteen (15) votes for delegate to state convention; and William Ray had thirteen (13) votes for representative; and J. W. Boone had fifteen (15) votes

for representative; and M. E. Banks had sixteen (16) votes for representative; and John Carney had twenty-two (22) votes for county justice; and that Elias Hovin had twenty-nine (29) votes for county justice; and S. D. Bullock had twenty-three votes for county justice; and Thomas Lusk had seven (7) votes for probate judge; and G. L. Carlin had thirty-seven (37) votes for circuit and county clerk; and E. Williams had nine votes for sheriff; and Jacob Hawk had thirty-three (33) votes for sheriff; and W. W. Lee had eighteen (18) votes for assessor; and Henry Farr had ten (10) votes for public administrator; and William Johnson had three (3) votes for coroner; and Henry Farr had twelve (12) votes for justice of the peace; and Enoch Davis had ten (10) votes for constable.

(Signed) HOOD TATE,
(Signed) AMOS CARLIN,
(Signed) JOHN GOODNIGHT,
Judges.

Attest:
MICHAEL HOVIN,
G. H. JACKSON,
Clerks.

STATE OF MISSOURI, *County of Barry, ss:*

I, G. L Carlin, clerk of the county court of Barry county, Missouri, certify said court is a court of record, and I further certify the document to which this certificate is attached is a correct, perfect, and true copy in every particular of a "poll-book of an election held in King's Prairie, precinct of McDonald township, in Barry county, Missouri, on Tuesday, the eighth day of November, A. D. 1864." I further certify that the thirty-nine votes on said poll-book for John R. Kelso were cast up for him and included in the number of votes certified to the secretary of state of Missouri as having been cast in Barry county, Missouri, for John R. Kelso, as a candidate for Congress in the fourth congressional district of the State of Missouri, at the general election held on the eighth day of November, 1864, and the three votes on said poll-book for S. H. Boyd were cast up for him and included in the number of votes certified to the secretary of state of Missouri as having been cast in Barry county for S. H. Boyd as a candidate for congress in the district, and on the day of the general election aforesaid.

In testimony whereof, I have hereto set my hand and affixed the seal of said court. Done at office in Cassville, Missouri, on this 21st day of November, A. D. 1865.

[SEAL.] G. L. CARLIN,
Clerk County Court.

STATE OF MISSOURI, *County of Barry, ss:*

I, John Carney, presiding justice of the county court of the county and State aforesaid, certify that said court is a court of record, and that the certificate and attestation of G. L. Carlin, clerk of said court, hereinbefore given, is in correct and proper form, and that it is given by the proper officer.

JOHN CARNEY,
Presiding Justice

L.—*Poll-book of general election begun and held at the post of Neosho, Missouri, Tuesday, November* 8, 1864—*the qualified voters of detachment of company M, 8th Missouri State militia.*

Number and names of voters.	For President.		For Vice-President.		For electors for presidential.		For electors.																										For governor.		For lieut. governor.		For sec'y of state.		For State auditor.		For State treasurer.		For register of lands.		For attor'y general.		Congress.			
	Abraham Lincoln.		George B. McClellan.		Andrew Johnson.		George H. Pendleton.		S. O. Schofield.		C. D. Drake.		Christian Kribben.		James H. Moss.		Lateen Eaton.		Barnabas Smith.		James C. Killiam.		H. J. Linkenbower.		George R. Smith.		Chas. Carpenter.		J. C. Parker.		W. Smith.		J. H. Fogg.		N. H. Lackland.		David H. Armstrong.		Firman A. Rozier.		Dabney C. Day.		Edward Belch.		Elijah H. Norton.		Joseph P. Grubb.		Henry S. Lipscomb.		J. E. Hatton.		Thomas C. Fletcher.		Thomas L. Price.		George Smith.		Luke W. Burris.		Francis Rodman.		James McFerran.		Alonzo Thomson.		Charles C. Rozier.		William Bishop.		George C. Bingham.		J. E. Smith.		Walter P. Billing.		R. F. Wingate.		Alex. M. Woolfolk.		S. H. Boyd.		J. R. Kelso.		P. B. Larimore.		Martin J. Hubble.	
1. Thomas Crabtree	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Newton county.
2. Elisha Walker	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Dallas county.
3. Lemuel Estes	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Barry county.
4. John W. Crawford	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Dallas county.
5. James Short	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Lawrence county.
6. Franklin Haddock	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Greene county.
7. Elias Chapman	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Dallas county.
8. Mark B. Evans	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Do.
9. Benjamin Kerr	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Dallas county.
10. Edley Woolf	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Do.
11. John Doss																																																																																Stone county.
12. Wm. S. Hutcherson	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Christian county.
13. Wm. A. Berry	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Greene county.
14. Enos Hilton	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Dallas county.
15. Lafayette Hays	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Barry county.
16. Peter Hutcherson	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Do.
17. Wm. S. Perryman	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Christian county.
18. Joseph McConnell	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Newton county.
19. Joseph Randleman	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Dallas county.
20. Marshal G. Lovan	1		1						1								1		1		1		1		1		1		1		1		1																1		1																1						Do.
Total	19		19						19								19		19		19		19		19		19		19		19		19																19		19																19						Do.

We certify, on honor, that the above is a correct list of all the votes given by qualified voters of company M, 8th Missouri State militia cavalry, given at Neosho, Newton county, Missouri, on Tuesday, the 8th day of November, 1864.

MARSHAL LOVAN,
JOSEPH RANDLEMAN,
Clerks.

WILLIAM S. PERYMAN,
PETER P. HUTCHERSON,
JOSEPH M. MCCONNELL,
Judges.

STATE OF MISSOURI, *County of Barry, ss:*

I, G. L. Carlin, clerk of the county court of Barry county, Missouri, certify said court is a court of record, and that the document to which this certificate is attached is a correct, perfect, and true copy, in every particular, of a "poll-book of a general election begun and held at the post of Neosho, Missouri, Tuesday, November 8, 1864, the qualified voters of detachment of company M, eighth Missouri State militia." I further certify the nineteen votes on this said poll-book were cast up for John R. Kelso, and that these nineteen votes were included in the number of votes certified to the secretary of state of Missouri as having been cast for John R. Kelso in Barry county, Missouri, as a candidate for Congress in the fourth congressional district, at the general election held on the eighth day of November, 1864. I further certify the one vote on said book given for S. H. Boyd was cast up for him, and was included in the number of votes certified to the secretary of state of Missouri as having been cast for S. H. Boyd, in Barry county, Missouri, as a candidate for Congress, in the district and election aforesaid.

In testimony whereof, I have hereto set my hand, and affixed the seal of said court. Done at office in Cassville, Barry county, Missouri, this 21st day of November, A. D. 1865.

[SEAL.]

G. L. CARLIN,
Clerk County Court.

STATE OF MISSOURI, *County of Barry, ss:*

I, John Carney, presiding justice of the county court of Barry county, certify said court is a court of record, and that the certificate and attestation of G. L. Carlin, clerk of said court, hereinbefore given, is in due form and by the proper officer.

JOHN CARNEY,
Presiding Justice.

Poll-book of an election held in Crane Creek township, Barry county, Missouri, on Tuesday, the 8th day of November, A. D. 1864, whereat J. B. Ellis, Alfred Peters, and J. B. Garrison were judges, and David Sietz was clerk of said election, all of whom were duly sworn before entering upon the discharge of their duties.

Number and names of voters.	For presidential electors—McClellan.			For presidential electors—Lincoln.			For governor.		Lieut. governor.		Secretary of state.	For auditor.		For treasurer.		For register of lands.	For att'y general.		For Congress.		For circuit att'y.		For convention.			For representatives.			For county judges.				For probate judge.	For circuit and county clerk.		For sheriff.		For assessor.		For public administrator.	For treasurer.	For coroner.		For surveyor.		For justices of the peace.		For constable.	
	Killian.	Moss.	Dade.	Schofield.	Drake.	Lindenhower.	Price.	Fletcher.	Burris.	Smith.	McFerran.	Radman.	Rozier.	Thompson.	Bingham.	Bishop.	Billings.	J. C. Smith.	Woolfolk.	Wingate.	Boyd.	Kelso.	Randolph.	Estes.	For convention.	Against convention.	William Ray.	J. W. Boon.	W. E. Banks.	John Carmey.	Lieut. Horine.	Lieut. Wilson.	S. A. Balloch.	J. R. Smith.	Thos. Lusk.	John Ray.	G. L. Carlin.	E. Williams.	Jacob Hawk.	Pat. Hemphill.	W. W. Lee.	Buch. Durham.	H. Fare.	James Swindle.	William Johnston.	J. P. Williams.	Isham Williams.	David Sietz.	John Bassett.	Isham H. Williams.	For constable.
1. Thomas Wiely				1	1		1		1			1		1		1		1		1		1		1		1			1		1			1															
2. John Wise				1	1		1		1		1	1		1		1		1		1		1		1		1			1		1			1															
3. James Hilton				1	1		1																																										
4. James M. Hemphill				1	1			1																																									
5. William B. Richman				2	2			1		1																																							
6. Daniel Carr				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															
7. Jefferson Garland				2	2		2		2		2			2		2		2		2		2		3		4			3		4			3															
8. Amon Carr				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															
9. Isham Williams				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															
10. W. H. Zinn				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															
11. John Bassett				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															
12. Andrew Hemphill				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															
13. W. A. Treplett				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															
14. W. M. Fuster				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															
15. John Stadler				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															
16. Enos Hilton				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															
17. John M. Ellis				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															
18. W. J. Robbins				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															
19. B. N. Ellis				1	1		1																																									
20. Daniel White				1	1		1																																									
21. Thomas Duchworth				1	1		1																																									
22. J. A. Hilton				1	1		1		1		1			1		1		1		1		1		1		1			1		1			1															

| | | |

It is hereby certified that the total number of votes polled was 58; and that Chris. Kribben had — votes for elector, Jas. H. Moss had — votes for elector, and Dabney C. Dade had — votes for elector; S. O. Schofield had 58 votes for elector, S. D. Drake had 58 votes for elector, and J. J. Lindenbower had 58 votes for elector; Thomas L. Price had — votes for governor, and Thomas C. Fletcher had 50 votes for governor; Luke W. Burris had — votes for lieutenant governor, and George Smith had 50 votes for lieutenant governor; James McFerran had — votes for secretary of state, and F. Rodman had 46 votes for secretary of state; Charles C. Rozier had — votes for auditor, and Alonzo Thompson had 46 votes for auditor; George C. Bingham had — votes for treasurer, and William Bishop had 45 votes for treasurer; Walter P. Billings had — votes for register of lands, and J. E. Smith had 45 votes for register of lands; A. M. Woolfolk had — votes for attorney general, and Robert F. Wingate had 45 votes for attorney general; ——— had — votes for Congress, S. H. Boyd had 15 votes for Congress, and —— Kelso had 37 votes for Congress; G. W. Randolph had — votes for circuit attorney, and Joseph Estes had — votes for circuit attorney; that there was 41 votes for convention, and — votes against convention; —— Grammar had — votes for delegate, —— Lilbut had — votes for delegate, and —— Bamon had — votes for delegate; —— Williams had 34 votes for representative, and J. W. Boon had 1 vote for representative; John Carney had 33 votes for county justice, Lieut. Horine had 33 votes for county justice, Lieut. Wilson had 33 votes for county justice, and S. D. Bullock had — votes for county justice; J. R. Smith had — votes for probate judge, and Thomas Lusk had 33 votes for probate judge; John Ray had — votes for circuit and county court clerk, and S. L. Castin had 35 votes for circuit and county court clerk; E. W. Williams had 35 votes for sheriff, and Jacob Hawk had — votes for sheriff; Pat. Hemphill had 22 votes for assessor, and W. Lee had 11 votes for assessor; Buch. Durham had — votes for public administrator, and H. Fox had — votes for public administrator; James Swindle had — votes for treasurer; William Johnson had — votes for coroner; J. P. Williams had 30 votes for surveyor; David Seitz had 29 votes for justice of the peace, and John Bassett had 29 votes for justice of the peace; Isham H. Williams had 28 votes for constable.

J. B. ELLIS,
ALFRED PETERS,
J. P. GARRISON,
Judges.

Attest:
DAVID SEITZ, *Clerk.*

STATE OF MISSOURI, *County of Barry, ss:*

I, G. L. Carlin, clerk of the county court of Barry county, Missouri, certify said court is a court of record, and that the document to which this certificate is attached is a correct, perfect, and true copy, in every particular, of a "poll-book of an election held in Cram Creek township, Barry county, Missouri, on Tuesday, the eighth day of November, A. D. 1865."

I further certify the thirty-seven (37) votes on the said poll-book were cast up for John R. Kelso, and that these thirty-seven (37) votes were included in the number of votes certified to the secretary of state of Missouri as having been cast for John R. Kelso, in Barry county, Missouri, as a candidate for Congress in the fourth congressional district, at the general election held on the eighth day of November, 1864.

I further certify the fifteen (15) votes on said book given for S. H. Boyd were cast up for him and were included in the number of votes certified to the

secretary of state of Missouri as having been cast for S. H. Boyd, in Barry county, Missouri, as a candidate for Congress in the district, and at the election aforesaid.

In testimony whereof, I have hereto set my hand and affixed the seal of said court. Done at office in Cassville, Barry county, Missouri, this 21st day of November, A. D. 1865.

[SEAL.]

G. L. CARLIN,
Clerk County Court.

STATE OF MISSOURI, *County of Barry, ss:*

I, John Carney, presiding justice of the county court of Barry county, certify said court is a court of record, and that the certificate and attestation of G. L. Carlin, clerk of said court, hereinbefore given, is in due form and by the proper officer.

JOHN CARNEY,
Presiding Justice.

N.

Poll-book of an election held in Flatbush township, Barry county, on Tuesday, the 8th day of November, A. D. 1864, *whereat Wm. Robinson, Prior Bradley, and S. H. Carlile were judges at said election, and Henry Anderson and John W. Thomas were clerks, all of whom were duly sworn before entering upon the discharge of their duties.*

| Number and names of voters. | For president | | |

| | | |

It is hereby certified that the total number of votes polled was seventy-one, and that Chris. Krjbben had seventeen votes for elector; and James H. Moss had seventeen votes for elector; and Dabney C. Dade had seventeen votes for elector; and S. O. Schofield had forty-five votes for elector; and G. D. Drake had forty-five votes for elector; and J. J. Lindenbower had forty-five votes for elector; and Thomas L. Price had seventeen votes for governor, and Thomas C. Fletcher had forty-five votes for governor; and Luke W. Burris had seventeen votes for lieutenant governor; and George Smith had forty-five votes for lieutenant governor; and Jas. McFarran had seventeen votes for secretary of state; and F. Rodman had forty-five votes for secretary of state; and Charles C. Rozier had seventeen votes for auditor, and Alonzo Thompson had forty-five votes for auditor; and George C. Bingham had seventeen votes for treasurer of state; and William Bishop had forty-five votes for treasurer of state; and W. P. Billings had seventeen votes for register of lands; and J. E. Smith had forty-five votes for register of lands; A. M. Woolfolk had seventeen votes for attorney-general; and R. F. Wingate had forty-five votes for attorney-general; and Martin J. Hubble had seventeen votes for congress; and S. H. Boyd had thirteen votes for congress; John R. Kelso had twenty-six votes for congress; and G. W. Randolph had seventy-seven votes for circuit attorney; and Estes had seven votes for circuit attorney; for convention had twenty-nine votes, and against convention had twenty votes; and J. M. Grammer had seventeen votes for delegate to convention; and William Roy had forty votes for representative; and J. W. Boon had nine votes for representative; M. E. Banks had one vote for representative; John Conness had twenty-nine votes for county justice; and Lieut. Hovine had twenty-six votes for county justice; and Lieut. Wilson had twenty-one votes; J. D. Bullock had nine votes for county justice; L. P. Stringer had eight votes for county justice; and John R. Smith had twenty votes for probate judge; and John Roy had thirty-five votes for county and circuit clerk; and G. L. Carlin had eleven votes for county and circuit clerk; and E. Williams had twenty-four votes for sheriff; and J. W. Harvlo had twenty-four votes for sheriff; and Pat. Hemphill had twenty-four votes for assessor; and W. W. Lee had seven votes for assessor; and Buck. Durham had seventy-one votes for public administrator; and Henry Fare had six votes for public administrator; and James Swindle had twenty-six votes for county treasurer; and William C. Johnson had seventy-seven votes for coroner; Isham Williams had twenty-one votes for county surveyor; and Charles Lee had four votes for constable.

WILLIAM ROBINSON,
PRIOR BRADLEY,
S. H. CARLILE,
Judges.

HENRY ANDERSON,
JOHN W. THOMAS,
Clerks.

STATE OF MISSOURI, *County of Barry:*

I, G. L. Carlin, clerk of the county court of Barry county, Missouri, certify said court is a court of record, and that the document to which this certificate is attached is a correct, perfect, and true copy, in every particular, of a "poll-book of an election held in Flat Creek township, Barry county, Missouri, on Tuesday, the eighth day of November, A. D. 1865."

I further certify the twenty-six (26) votes on this said poll-book were cast up for John R. Kelsoe, and that these twenty-six (26) votes were included in the number of votes certified to the secretary of state of Missouri as having been cast for John R. Kelsoe, in Barry county, Missouri, as a candidate for

Congress in the fourth congressional district, at the general election held on the eighth day of November, 1864.

I further certify the thirteen (13) votes on said book given for S. H. Boyd were cast up for him, and were included in the number of votes certified to the secretary of state of Missouri as having been cast for S. H. Boyd, in Barry county, Missouri, as a candidate for Congress in the district and election aforesaid.

In testimony whereof, I have hereunto set my hand and affixed the [SEAL.] seal of said court. Done at office in Cassville, Barry county, Missouri, this 21st day of November, 1865.

G. L. CARLIN,
Clerk County Court.

STATE OF MISSOURI, *County of Barry, ss:*

I, John Carney, presiding justice of the county court of Barry county, certify said court is a court of record, and that the certificate and attestation of G. L. Carlin, clerk of said court, hereinbefore given, is in due form and by the proper officer.

JOHN CARNEY,
Presiding Justice.

Poll-book for electors, Barry county, Missouri, belonging to Captain William Ray's (G) company, in the 7th provisional regiment, Missouri militia, at Cassville, Missouri, November 8, 1864.

| Names of voters. | For President, Abraham Lincoln; for Vice-President, Andrew Johnson. For presidential electors. T. J. C. Figg. | W. Smith. | J. C. Parker. | Charles Carpenter. | For President, George B. McClellan; for Vice-Pres'dt, Geo. H. Pendleton. For presidential electors. George R. Smith. | H. J. Linderbower. | James Killian. | Barnabas Smith. | Lucien Eaton. | C. D. Drake. | S. O. Seofield. | J. E. Hutton. | Henry S. Lipscomb. | Joseph P. Grubb. | Elijah A. Norton. | J. Edward Belch. | Dabney C. Dade. | Ferman A. Rozier. | David H. Armstrong. | Wm. H. Lockland. | James H. Moss. | Christian Kribben. | For governor. Thomas C. Fletcher. | Thomas L. Price. | For lieut. gov. George Smith. | Lake W. Burges. | For secretary of state. Francis Rodman. | James McFerran | For auditor of state. Alonzo Thompson. | Charles C. Rozier. | For state treasurer. William Bishop. | George C. Bingham. | For register of lands. J. E. Smith. | Walter P. Billings. | For attorney general. R. F. Wingate. | Alex. M. Woolfolk. | For Congress. Hubble. | John R. Kelso. | For state senate. S. H. Boyd. | ——— ——— | ——— ——— | For represen-tatives. Elkanah Banks. | William Ray. | J. W. Boon. | For sheriff. Elias Williams. | Jacob W. Hawk. | For circuit attorney. Geo. W. Randolph. | Joseph Estes. | For delegs to State convn. Joel Grammar. | ——— ——— | ——— ——— | For State convention. Against State convention. | ——— ——— | ——— ——— | For county & circuit clerks. John Ray. | Gilbert Carline. | Elias Harper. | John Carney. | County court justices. A. D. Bullock. | W. W. Lee. | Assessor. Pat. Hemphill. | Coroner. W. Johnson. |
|---|---|---

STATE OF MISSOURI, *County of Barry, ss:*

I, G. L Carlin, clerk of county court in and for Barry county, Missouri certify that said court is a court of record, and that the document to which this certificate is attached is a correct, perfect, and true copy of a "poll-book for the electors of Barry county, Missouri, belonging to Captain William Ray's company, in the seventh provisional regiment Missouri militia, at Cassville, Missouri, November 8, 1864." I further certify the twenty-three votes on said poll-book, given for John R. Kelso, were cast up for him and included in the number of votes certified to the secretary of state as having been cast in Barry county, Missouri, for John R. Kelso, as a candidate for Congress, at the general election on eighth November, 1864. I further certify no votes were given on said book for S. H. Boyd for Congress.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court. Done at office this 21st day of November, 1865.

[SEAL.]

G. L. CARLIN,
Clerk of County Court.

I, John Carney, presiding justice of county court in and for Barry county, Missouri, certify that said court is a court of record, and that the attestation of G. L. Carlin, clerk of said court, hereinbefore given, is in correct and proper form and is given by the proper officer.

JOHN CARNEY,
Presiding Justice of County Court.

I do hereby appoint William Linn, William Schooling, and David C. Wood, members of company G, 7th provisional regiment Missouri militia, as judges to hold the present election.

——— ———.

We do solemnly swear that we will impartially discharge the duties of judges of the present election according to law to the best of our ability. So help us God.

WILLIAM LINN.
WILLIAM SCHOOLING.
D. C. WOODS.

Sworn to and subscribed before me this 8th day of November, 1864.

WILLIAM RAY,
Captain Co. G, 7th Pro. Reg't E. M. M.

We hereby appoint Jas. L. Wood and William J. Arnold as clerks of the present election.

WILLIAM LINN.
WILLIAM SCHOOLING.
D. C. WOODS.

We do solemnly swear that we will faithfully record the names of the voters, and distinctly carry out in lines and columns the names of the persons for whom each voter votes.

WILLIAM J. ARNOLD.
JAS. L. WOOD.

Sworn to and subscribed before me this 8th day of November, 1864.

D. C. WOODS.

We hereby certify that Abraham Lincoln, for President, and Andrew Johnson, for Vice-President: For presidential electors—S. O. Schofield received twenty-two votes; C. D. Drake received twenty-two votes; Lucien Eaton received twenty-two votes; Barnabas Smith received twenty-two votes; James C. Killian received twenty-two votes; N. J. Lindenbower received twenty-two votes; George R. Smith received twenty-two votes; Charles Carpenter received twenty-two votes; J. C. Parke received twenty-two votes; W. Smith received twenty-two votes; J. T. C. Fogg received twenty-two votes. George B. McClellan, for President, and George H. Pendleton, for Vice-President: For presidential electors—Christian Kribben received — votes; James H. Moss received — votes; Wm. H. Lockland received — votes; David H. Armstrong received — votes; Firman A. Rozier received — votes; Dabney C. Dade received — votes; J. Edward Belch received — votes; Elijah H. Norton received — votes; J. P. Grubb received — votes; H. S. Lipscomb received — votes; J. E. Hutton received — votes. H. Fletcher, for governor, received twenty-two votes, and S. L. Price, for governor, received — votes. George Smith, for lieutenant governor, received twenty-two votes, and Luke W. Burris, for lieutenant governor, received — votes. Francis Rodman, for secretary of state, received — votes, and James McFerran, for secretary of state, received — votes. Alonzo Thompson, for auditor of state, received — votes, and Charles C. Rozier, for auditor of state, received — votes. Wm. Bishop, for treasurer of state, received — votes, and George C. Bingham, for treasurer of state, received — votes. J. E. Smith, for register of lands, received — votes, and W. P. Billings, for register of lands, received — votes. R. F. Wingate, for attorney general, received — votes, and Alex. M. Woolfolk, for attorney general, received — votes. S. H. Boyd received — votes; John R. Kelso received twenty-three votes; Hubble received — votes; J. W. Boone received — votes; William Ray received fifteen votes; Elkanah —— received — votes; Jacob W. Hawk received fourteen votes; Elias Williams received one vote; Joseph Estes received twenty votes; Randolph received one vote; Joel Grammar received twenty-one votes; John Ray received one vote; Gilbert Carlin received thirteen votes; Elias Horine received seventeen votes; John Corney received seventeen votes; S. D. Bullock received seventeen votes; William W. Lee received three votes; Pat. Hemphill received thirteen votes; William Johnson received seven votes.

P.

Poll-book for the electors from Barry county, Missouri, belonging to detachment, Captain John N. Moore, "H" company, in the 7th provisional regiment, Missouri militia, at Cassville, Missouri, November 8, 1864.

| Names of voters. | For President, Abraham Lincoln. For Vice President, Andrew Johnson. | | |

I do hereby appoint John D. Kerr, Christopher Snider, John P. Moore, members of "H" company, 7th provisional regiment, Missouri militia, as judges to hold the present election.

We do solemnly swear that we will impartially discharge the duties of judges of the present election according to law to the best of our ability: So help us God.

J. D. KERR,
JOHN P. MOORE,
CHRISTOPHER SNIDER.

Sworn to and subscribed before me this 8th day of November, 1864.

W. BROWN,
1st Lieut Com'g Det. Co. H, 7th E. M. M.

We hereby appoint Sands C. Stewart and A. G. Lemaster as clerks of the present election.

J. D. KERR,
JOHN P. MOORE,
CHRISTOPHER SNIDER.

We do solemnly swear that we will faithfully record the names of the voters, and distinctly carry out in lines and columns the names of the person for whom each voter votes.

SANDS C. STEWART,
A. G. LEMASTER.

Sworn to and subscribed before me this 8th day of November, 1864.

J. D. KERR.

We do hereby certify that Abraham Lincoln, for President, and Andrew Johnson, for Vice President: for Presidential electors, S. O. Schofield received two votes, C. D. Drake received two votes, Lucien Eaton received two votes, Barnabas Smith received two votes, Jas. C. Killian received two votes, H. J. Lindenbower received two votes, George R. Smith received two votes, Charles Carpenter received two votes, J. C. Parker received two votes, W. Smith received two votes.

J. F. C. Fagg received two votes, William H. Lackland received — votes, David H. Armstrong received — votes, Firman A. Rozier received — votes, David C. Dade received — votes, J. Edward Belch received — votes, Elijah H. Norton received — votes, J. P. Grubb received — votes, H. S. Lipscomb received — votes, J. E. Hutton received — votes.

T. C. Fletcher, for governor, received two votes, and T. L. Price, for governor, received — votes. George Smith, for lieutenant governor, received two votes; and Luke W. Burris, for lieutenant governor, received — votes. Thomas Rodman, for secretary of state, received two votes; and James McFerran, for secretary of state, received — votes. Alonzo Thompson, for auditor of State, received two votes; and Charles C. Rozier, for auditor of state, received — votes. William Bishop, for treasurer of State, received two votes; and George C. Bingham, for treasurer of state, received — votes. J. E. Smith, for register of lands, received two votes; and W. P. Billings, for register of lands, received — votes. R. F. Wingate, for attorney general, received two votes; and Alex. M. Woolfolk, for attorney general, received — votes. Huble, for Congress, received — votes; John Kelso, for Congress, received four votes; Poney Boyd, for Congress, received one vote. Moses E. Banks, for representative, received — votes; J. W. Boon, for representative, received — votes; William Ray, for representative, received five votes. J. Hawk, for sheriff, received — votes; E. W. Williams, for sheriff, received four votes. Estis, for circuit attorney, received — votes; For. Randolph, for circuit attorney, received — votes. Beaman, for delegate to

State convention, received — votes; Gilbert, for delegate to State convention, received — votes; Grammar, for delegate to State convention, received two votes. For State convention, five votes; against State convention, — votes. Carlin, for clerk, received — votes; Ray, for clerk, received five votes. Wilson, for county justice, received five votes; Horine, for county justice, received two votes; Carney, for county justice, received five votes.

STATE OF MISSOURI, *County of Barry, ss:*

I, G. L. Carlin, clerk county court of Barry county, certify said court is a court of record, and that the document to which this certificate is attached is a correct, perfect, and true copy of a "poll-book for the electors of Barry county, Missouri, belonging to detachment, Captain John H. Moore's company, (M,) in the seventh provisional regiment Missouri militia, at Cassville, Missouri, November 8, 1864." I further certify the four votes given for Kelso on said book were cast up for him and included in the number of votes certified to the secretary of state of Missouri as having been given Kelso in Barry county, Missouri, as a candidate for Congress in the 4th district, Missouri, at the general election on 8th November, 1864. I certify one vote was given on said poll book for S. H. Boyd, and that that one vote was cast up for him and included in the number of votes certified to the secretary of state he got for Congress in Barry county at said general election.

In testimony wherof, I have hereto set my hand and the seal of said court, at office in Cassville, this twenty-first day of November, 1865.

[SEAL.]

G. L. CARLIN,
Clerk County Court.

I, John Carney, presiding justice county court of Barry county, Missouri, certify said court is a court of record, and that the attestation of G. L. Carlin, clerk of said court, hereinbefore given, is in due form, and is given by the proper officer.

JOHN CARNEY,
Presiding Justice.

Q.

Poll-book of an election held in Mountain township, Barry county, Missouri, on Tuesday, the 8th day of November, A. D. 1864, whereat Calvin B. Carney, Joseph Doty, and A. Harp were judges, and Samuel Balie clerk, of said election, all of whom were duly sworn before entering upon the discharge of their duties.

Number.	Names of voters.	For President—McClellan and Lincoln.	For Governor.	For Lieutenant-governor.	For secretary of state.	For auditor.	For treasurer.	For Registerof lands.	For attorney general.	For Congress.	For circuit attorney.	For convention.	Against convention.	For delegate to convention.	For representatives.	For county judges.	For probate judge.	For circuit county court clerk.	For sheriff.	For assessor.	For public administrator.	For treasurer.	For coroner.	For surveyor.	For Justices of the peace.	For constable.
		Killam.	Price.	Lindenbower.	Burris.	Fletcher.	Smith.	McFerran.	Rodman.	Rozier.	Thompson.	Bingham.	Bishop.	Billings.	J. E. Smith.	Woolfalk.	Wingate.	Boyd.	Kelso.	Randolph.	Estes.			Grammer.	Gilbert.	Beaman.	William May.	G. W. Boon.	M. P. Banks.	John Carney.	Lieut. Horine.	Lieut. Wilson.	G. A. Bullock.	T. R. Smith.	Thomas Lusk.	John Ray.	(G. L. Gatlin.	F. Williams.	Jacob Hawk.	Par. Hemphill.	W. W. Lee.	Buck. Ayburn.	H. Fare.	James Swindle.	William Johnston.	Isham Williams.	Jesse Williams.	Barry.	Balie.	W. Carney.
1	George Stockden																										
2	Jonathan Jones																										
3	Jonathan Eden, jr.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
4	B. C. Eden	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
5	Jonathan Eden, sr.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
6	J. T. Reives	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
7	J. S. Clemens	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
8	M. Hilton	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
9	Berry Stone	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
10	Joseph Doty, jr.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
11	Samuel Stockden	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
12	David Jones	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
13	H. L. Wilson	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
14	Lewis Harp	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
15	John Stockden	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
16	Jeffergon Kelso	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
17	Martin Hilton	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18	James Stockden	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
19	William Johnson	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
20	Samuel Baily	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
21	Joseph McCully	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

| | | |

It is hereby certified that the total number of votes polled was ——, and that Christian Kribben had — votes for elector, and James H. Moss had — votes for elector, and Dabney C. Dade had — votes for elector, and S. O. Schofield had — votes for elector, and C. D. Drake had — votes for elector, and J. J. Lindenbower had — votes for elector, and Thomas L. Price had — votes for governor, and Thomas C. Fletcher had — votes for governor, and Luke W. Burris had — votes for lieutenant governor, and George Smith had — votes for lieutenant governor, and ——

JOSEPH DOTY,
A. HARP,
C. CARNEY,
Judges.

Attest:
SAM'L BALIE, *Clerk.*

STATE OF MISSOURI, *County of Barry, ss:*

I, G. L. Carlin, clerk of the county court of Barry county, Missouri, certify said court is a court of record, and that the document to which this certificate is attached is a correct, perfect, and true copy, in every particular, of a "poll-book of an election held in Mountain township, in Barry county, Missouri, on Tuesday, the eighth day of November, A. D. 1864."

I further certify the twenty-six (26) votes on the said poll-book were cast up for John R. Kelso, and that these twenty-six (26) votes were included in the number of votes certified to the secretary of the state of Missouri as having been cast for John R. Kelso, in Barry county, Missouri, as a candidate for Congress in the fourth congressional district, at the general election held on the eighth day of November, 1864.

I further certify that at that poll no votes were cast for S. H. Boyd.

In testimony whereof, I have hereunto set my hand and affixed the seal [SEAL.] of said court. Done at office in Cassville, Barry county, Missouri, this 21st day of November, A. D. 1865.

G. L CARLIN,
Clerk County Court.

STATE OF MISSOURI, *County of Barry, ss:*

I, John Carney, presiding justice of the county court of Barry county, certify said court is a court of record, and that certificate and attestation of G. L. Carlin, clerk of said court, hereinbefore given, is in due form and by the proper officer.

JOHN CARNEY,
Presiding Justice.

R.—*Poll-book for the electors from Lawrence county, Missouri, belonging to Captain Ozias Ruark's (L) company, in the eighth regiment Missouri State militia, at Fort Smith, Arkansas, November* 8, 1864.

Names of voters.	For President, Abraham Lincoln. For Vice-President, Andrew Johnson. — For electors.									Electors at large.		For President, Geo. B. McClellan. For Vice-President, George H. Pendleton. — For electors.									Electors at large.		For governor.	For lieut. gov.	For secretary of state.	For auditor of state.	For State treasurer.	For register of lands.	For att'y gen'l.	For Congress.		For representative.		For sheriff.	For circuit attorney.	For delegate to State convention.		For State convention.	Against State convention.
	T. J. C. Fogg.	W. Smith.	J. C. Parker.	Chas. Carpenter.	George R. Smith.	H. J. Lindenhower.	James C. Killian.	Barnabas Smith.	Lucian Eaton.	C. D. Drake.	S. O. Schofield.	J. E. Hutton.	Henry S. Lipscomb.	Joseph P. Gimlib.	Elijah H. Norton.	J. Edward Belch.	Dabney C. Dade.	Freman A. Rozier.	David H. Armstrong.	Wm. H. Lackland.	James H. Moss.	Christ'n C. Kribben.	Thos. C. Fletcher.	Thomas L. Price.	George Smith.	Lake Burris.	Francis Rodman.	James McFerren.	Alonzo Thompson.	Charles C. Rozier.	William Bishop.	George C. Bingham.	J. F. Smith.	Walter P. Billings.	R. F. Wingate.	Alex. M. Woollalk.	Jno. R. Kelso.	S. H. Boyd.	M. J. Hulle.	Geo. W. Renker.	Thos. Whitley.	A. P. Gibson.	H. C. Cheldres.	Joseph Estes.	G. W. Randolph.	Peterson Grammer.	Archibald Gilbert.	Col. Benman.		
Ozias Ruark	1	1	1	1	1	1	1	1	1	1	1												1		1													1	1	1	
John Bentley	1	1	1	1	1	1	1	1	1	1	1												1		1								1					1	1	1	
Wm. C. Appleby	1	1	1	1	1	1	1	1	1	1	1												1		1						1										
John Jeffords	1	1	1	1	1	1	1	1	1	1	1												1		1								1			1		1	1	1	
John R. Bridges	1	1	1	1	1	1	1	1	1	1	1												1		1													1	1	1	
J. B. Davis	1	1	1	1	1	1	1	1	1	1	1												1		1								1					1	1		
Joseph Finch	1	1	1	1	1	1	1	1	1	1	1																														
George Long	1	1	1	1	1	1	1	1	1	1	1												1		1						1									1	
W. R. Underwood	1	1	1	1	1	1	1	1	1	1	1												1		1						1									1	
Jas. H. Eliot	1	1	1	1	1	1	1	1	1	1	1												1		1						1									1	
Wesley Kemberling	1	1	1	1	1	1	1	1	1	1	1																				1										
Joshua Ruark	1	1	1	1	1	1	1	1	1	1	1												1		1						1							1	1	1	
Isaac Rush	1	1	1	1	1	1	1	1	1	1	1												1		1						1										
William W. Mathews	1	1	1	1	1	1	1	1	1	1	1												1		1																
Eli Blanchard	1	1	1	1	1	1	1	1	1	1	1												1		1															1	
James M. Thomas	1	1	1	1	1	1	1	1	1	1	1												1		1															1	
Thomas B. Gebbs	1	1	1	1	1	1	1	1	1	1	1												1		1															1	
Wm. H. Thaxton	1	1	1	1	1	1	1	1	1	1	1												1		1													1	1	1	
R. R. Downing	1	1	1	1	1	1	1	1	1	1	1												1		1													1	1	1	
Jas. A. Patton	1	1	1	1	1	1	1	1	1	1	1												1		1																
David D. Nicholson	1	1	1	1	1	1	1	1	1	1	1												1								1										
Levi P. Downing	1	1	1	1	1	1	1	1	1	1	1												1								1							1	1	1	
Elkanah Eckles	1	1	1	1	1	1	1	1	1	1	1												1								1										
D. W. Mason	1	1	1	1	1	1	1	1	1	1	1												1		1																
Casper Melcher	1	1	1	1	1	1	1	1	1	1	1												1								1									1	
Timothy Maples	1	1	1	1	1	1	1	1	1	1	1												1								1										
Nathaniel Reems	1	1	1	1	1	1	1	1	1	1	1												1		1																
Elijah Weggins	1	1	1	1	1	1	1	1	1	1	1												1								1										
	28																						23		20						22	2		9		5		9	9	15	

I do hereby appoint Robert R. Downing, Joseph A. Patton, and William H. Thaxton, members of (L) company, eighth regiment, Missouri State militia, as judges to hold the present election.

OZIAS RUARK, *Captain,*
Commanding company L, eighth Missouri State Militia Cavalry.

We do solemnly swear that we will impartially discharge the duties of judges of the present election, according to law, to the best of our ability. So help us God.

WM. H. THAXTON,
J. A. PATTON,
R. R. DOWNING.

Sworn to and subscribed before me, this 8th day of November, 1864.
OZIAS RUARK, *Captain,*
Commanding company L, eighth Missouri State Militia, Cavalry.

We hereby appoint Levi P. Downing and David D. Nicholson as clerks of the present election.

WM. H. THAXTON,
J. A. PATTON,
R. R. DOWNING.

We do solemnly swear that we will faithfully record the names of the voters and distinctly carry out in lines and columns the name of the person for whom each voter votes.

LEVI P. DOWNING,
DAVID D. NICHOLSON.

Sworn to and subscribed before me, this 8th day of November, 1864.
OZIAS RUARK, *Captain,*
Commanding Company L, eighth Missouri State Militia, Cavalry.

STATE OF MISSOURI, *County of Lawrence, ss:*

I, John S. Wilson, clerk county court of Lawrence county, Missouri, certify the document to which this is attached is a correct, perfect, and true copy (with its endosements) of the original on file in my office of a poll-book of an election held by company L, of the eighth regiment Missouri State militia, at the general election on November 8, 1864; and that the twenty-two (22) votes on said original given for John R. Kelso, as a candidate for Congress, were cast up for him and included in the number of votes I certified to the secretary of State as having been given for said Kelso for Congress at said general election. Also, the two (2) votes given for Boyd were included in those given for him.

In testimony whereof, I have hereto set my hand and affixed the seal
[SEAL.] of said court. Done at office this November 11, 1865.

JOHN S. WILSON,
Clerk County Court.

I, Richard H. Landrun, presiding justice county court Lawrence county, Missouri, certify the above attestation or certificate of John S. Wilson, clerk of said court, is in due and correct form. and that it is made by the proper officer.

RICHARD H. LANDRUN,
Presiding Justice County Court.

S.

Poll-book for the electors from Lawrence county, Missouri, belonging to Captain William B. Allen's company, (D,) in the Forty-Sixth regiment Missouri volunteer infantry, at Mount Vernon, November 8, 1864.

Names of voter.	For President, Abraham Lincoln. For Vice-President, Andrew Johnson.										For President, Geo. B. McClellan. For Vice-President, George H. Pendleton.									
	For presidential electors.										For presidential electors.									
	T. J. C. Pagg.	W. Smith.	J. C. Parker.	Charles Carpenter.	George R. Smith.	H. J. Lindenbower.	James Killian.	Barnabas Smith.	Lucean Eaton.	C. D. Drake, at large.	S. O. Schofield, at large.	J. E. Hutton.	Henry S. Lipscomb.	Joseph P. Grubb.	Elijah H. Norton.	J. Edward Belch.	Dabney C. Dade.	Freeman A. Rozier.	David H. Armstrong.	Wm. H. Lackland.	James H. Moss, at large.	Christ'n Kribbins, at l'ge.
1. M. M. Duke	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
2. William Garner	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
3. William Lackson	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
4. John Neece	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
5. John H. Carpenter	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
6. Henseng Pace	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
7. William M. Roberts	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
8. H. P. Prichard	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
9. James P. Manning	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
10. Jonathan Wood	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
11. George T. Covender	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
12. James Claton	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
13. Edwin Grisson	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
14. William J. Roller	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
15. William B. Hicks	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
16. Daniel Lee	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
17. Daniel Lacy	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
18. Lewis E. Parker	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
19. Jacob Stoner	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
20. Richard A. Page	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
21. Robert A. Steven	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
22. Robert Phauls	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
23. S. R. Allen	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
24. Ignatius W. Cage	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
25. Samuel Smith	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
26. William B. Allen	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
27. Joseph B. Thomlinson	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
28. George Whaley	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
29. D. T. J. Colley	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
30. A. W. Grammar	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
31. Elbert B. Smith	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
32. R. F. Smith	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
33. James M. Frobinger	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
34. William J. Petty	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
35. Jesse A. Williams	1	1	1	1	1	1	1	1	1	1	1	....	....	....	....	....	....	....	....	....	....	....
Total	34	34	34	34	34	34	34	34	34	34	34	....	....	....	....	....	....	....	....	....	....	....

S.—*Poll-book for the electors from Lawrence county, &c.*—Continued.

Names of voter.	For governor.		For lieut. governor.		For secretary of state.		For auditor of state.		For state treasurer.		For register of lands.		For attorney general.		For Congress.			
	Thomas C. Fletcher.	Thomas L. Price.	George Smith.	Luke W. Bureas.	Francis Rodman.	James McFerrin.	Alonzo Thompson.	Charles C. Rozier.	William Bishop.	George C. Bingham.	J. E. Smith.	Walter P. Billings.	R. F. Wingate.	Alexander Woolfolk.	Hubble.	S. H. Boyd.	J. R. Kelso.	Larimore.
1. M. M. Duke																		
2. William Garner	1		1		1		1		1		1		1				1	
3. William Lackson	1		1		1		1		1		1		1				1	
4. John Neece	1		1		1		1		1		1		1			1		
5. John H. Carpenter	1		1		1		1		1		1		1				1	
6. Henseng Pace	1		1		1		1		1		1		1				1	
7. William M. Roberts	1		1		1		1		1		1		1				1	
8. H. P. Prichard	1		1		1		1		1		1		1				1	
9. James P. Manning	1		1		1		1		1		1		1				1	
10. Jonathan Wood	1		1		1		1		1		1		1				1	
11. George T. Covender	1		1		1		1		1		1		1				1	
12. James Claton	1		1		1		1		1		1		1				1	
13. Edwin Grisson	1		1		1		1		1		1		1				1	
14. William J. Roller	1		1		1		1		1		1		1				1	
15. William B. Hicks	1		1		1		1		1		1		1				1	
16. Daniel Lee	1		1		1		1		1		1		1				1	
17. Daniel Lacy	1		1		1		1		1		1		1				1	
18. Lewis E. Parker	1		1		1		1		1		1		1				1	
19. Jacob Stoner	1		1		1		1		1		1		1				1	
20. Richard A. Page	1		1		1		1		1		1		1				1	
21. Robert A. Steven	1		1		1		1		1		1		1				1	
22. Robert Phanis	1		1		1		1		1		1		1			1		
23. S. R. Allen	1		1		1		1		1		1		1				1	
24. Ignatius W. Cage	1		1		1		1		1		1		1			1		
25. Samuel Smith	1		1		1		1		1		1		1				1	
26. William B. Allen	1		1		1		1		1		1		1				1	
27. Joseph B. Thomlinson	1		1		1		1		1		1		1				1	
28. George Whaley	1		1		1		1		1		1		1			1		
29. D. T. J. Colley	1		1		1		1		1		1		1			1		
30. A. W. Grammar	1		1		1		1		1		1		1				1	
31. Elbert B. Smith	1		1		1		1		1		1		1				1	
32. R. F. Smith	1		1		1		1		1		1		1				1	
33. James M. Frobinger	1		1		1		1		1		1		1				1	
34. William J. Petty																1		
35. Jesse A. Williams	1		1		1		1		1		1		1				1	
Total	33		33		33		33		33		33		33		6	28		

S.—*Poll-book for the electors from Lawrence county, &c.*—Continued.

Names of voter.	For State senate.	For representative.		For sheriff.		For circuit attorney.		For delegates to State convention.			For State convention.	Against convention.	County justices.				For treasurer.	For assessor.	For coroner.	For justice of peace.		For constable.	
	——— ———	T. R. Whaley.	George W. Renker.	Andrew P. Gibson.	Henry C. Childers.	Joseph Estes.	George W. Randolph.	Archibald Gilbert.	J. M. Grammar.	Beaman.	——— ———	——— ———	Pike.	James Cherry.	Henry Georges.	J. D. Hillhouse.	James Kelley.	Gibson.	Breddecon.				
1. M. M. Duke																							
2. William Garner		1			1	1			1														
3. William Lackson		1			1	1					1		1		1	1							
4. John Neece			1			1			1		1		1		1	1							1
5. John H. Carpenter			1	1				1			1												
6. Henseng Pace		1			1	1			1		1												
7. William M. Roberts		1			1						1												
8. H. P. Prichard		1			1	1			1		1												
9. James P. Manning		1			1												1	1					
10. Jonathan Wood																							
11. George T. Covender			1	1					1		1												
12. James Clinton		1			1						1												
13. Edwin Grisson		1			1						1		1		1	1							
14. William J. Roller		1			1				1		1				1	1							
15. William B. Hicks			1	1					1		1						1						
16. Daniel Lee		1			1				1		1												
17. Daniel Lacy		1			1				1		1												
18. Lewis E. Parker		1			1	1																	
19. Jacob Stoner		1			1									1	1	1	1	1	1				
20. Richard A. Page		1			1				1		1			1	1	1	1						
21. Robert A. Steven						1																	
22. Robert Phanis		1			1	1			1		1			1		1							
23. S. R. Allen		1			1				1		1			1	1	1	1						
24. Ignatius W. Cage		1			1				1		1			1		1							
25. Samuel Smith		1			1				1		1						1	1					
26. William B. Allen		1			1			1	1		1			1		1							
27. Joseph B. Thomlinson			1	1			1		1	1	1						1						
28. George Whaley		1			1	1			1		1					1	1		1				
29. D. T. J. Colley		1			1		1		1		1					1	1						
30. A. W. Grammar		1			1	1		1	1		1			1			1	1	1				
31. Elbert B. Smith		1			1				1		1			1									
32. R. F. Smith		1			1		1	1	1		1			1									
33. James M. Frobinger		1			1				1		1			1									
34. William J. Petty		1			1																		
35. Jesse A. Williams		1			1																		
Total		27	5	4	27	10	3	4	22	1	25		3	10	10	16	5	3	1				

I do hereby appoint Abram W. Grammar, George Haley, Joseph B. Thomlinson, members of D company, Forty-Sixth regiment Missouri volunteer infantry, as judges of the present election.

We do solemnly swear that we will impartially discharge the duties of judges of the present election according to law, to the best of our ability. So help us God.

ABRAM W. GRAMMAR.
GEORGE HALEY.
JOSEPH B. THOMLINSON, his x mark.

Sworn to and subscribed before me this 8th day of November, 1864.

Captain W. B. ALLEN, *Commanding Company.*

We hereby appoint Robert Phariss and R. A. Stevens clerks of the present election.

ABRAM W. GRAMMAR.
GEORGE HALEY.
JOSEPH B. THOMLINSON, his x mark.

We do solemnly swear that we will faithfully record the names of the voters, and distinctly carry out in lines and columns the name of the person for whom each voter votes.

ROBERT PHARISS.
ROBERT A. DEVENS.

Sworn to and subscribed before me this 8th day of November, 1864.

ABRAM W. GRAMMAR.

Names of persons voted for, and for what office, containing the number of votes given each candidate:

For President: Abraham Lincoln.

For Vice-President: Andrew Johnson.

For presidential electors at large: S. O. Schofield, 34; C. D. Drake, 34.

For electors: Lucien Eaton, 34; Barnabas Smith, 34; James C. Killian, 34; H. J. Lindenbower, 34; George R. Smith, 34; Charles Carpenter, 34; J. C. Parker, 34; W. Smith, 34; T. J. C. Fagg, 34.

For President: George B. McClellan.

For Vice-President: George H. Pendleton.

For presidential electors at large: Christian Kirbbin, —; James H. Moss, —.

For electors: William H. Lackland, —; David H. Armstrong, —; Freeman A. Rozier, —; Dabney C. Dade, —; J. Edward Belch, —; Elijah H. Norton, —; Joseph P. Grubb, —; Henry Lipscombe, —; J. E. Hutton, —.

For governor: Thomas C. Fletcher, 33; Thomas L. Price, —.

For lieutenant governor: George Smith, 33; Luke W. Burris, —.

For secretary of state: Francis Rodman, 33; James McFerren, —.

For auditor of State: Alonzo Thompson, 33; Charles Rozier, —.

For State treasurer: William Bishop, 33; George Bingham, —.

For register of lands: J. E. Smith, 33; Walter P. Billings, —.

For attorney general: R. F. Wingate, 33; Alexander Woolfolk, —.

For Congress: M. Hubble, —; S. H. Bay, 6; John R. Kelso, 28; Laremore —.

For representative: George W. Renker, 5; Thomas Whaley, 27.

For sheriff: A. P. Gibson, 4; H. C. Childers, 27.

For circuit attorney: Joseph Estes, 10; G. W. Randolph, 3.

For assessor: J. D. Hillhouse, 16.

For coroner: James Kelloge, 5.

For county justices: James Cherry, 10; Fike, 3.

For county treasurer: Harry George, 10.

For constable: Franklin Gibson, 3.

For delegates to State convention: Archibald Gilbert, 4; J. M. Grammer, 22; Beaman, 1.

For State convention: 25; against State convention, 1.

We hereby certify that Abraham Lincoln, for President, and Andrew Johnson, for Vice-President: For Presidential electors, S. O. Schofield received 34 votes, C. D. Drake received 34 votes, Lucian Eaton received 34 votes, Barnabas Smith received 34 votes, James C. Killian received 34 votes, H. J. Lindenbower received 34 votes, George R. Smith received 34 votes, Charles Carpenter received 30 votes, J. C. Parker received 34 votes, W. Smith received 34 votes, J. T. C. Fagg received 34 votes. George B. McClellan, for President, and George H. Pendleton, for Vice-President: For presidential electors, Christian Kribbin received — votes, James H. Moss received — votes, William H. Lackland received — votes, David H. Armstrong received — votes, Freeman Rozier received — votes, Dabney C. Dade received — votes, J. Edward Belch received — votes, Elijah H. Norton received — votes, Joseph P. Grubb received — votes, Henry S. Lipscomb received — votes, J. E. Hutton received — votes. Thomas C. Fletcher, for governor, received 33 votes, and T. S. Price, for governor, received — votes; George Smith, for lieutenant governor, received 33 votes, and Luke W. Burris, for lieutenant governor, received — votes; Francis Rodman, for secretary of state, received 33 votes, and James McFerren, for secretary of state, received — votes; Alonzo Thompson, for auditor of State, received 33 votes, Charles C. Rozier, for auditor of State, received — votes; William Bishop, for treasurer of

State, received 33 votes, and George Bingham, for treasurer of State, received — votes; J. E. Smith, for register of lands, received 33 votes, and W. P. Billings, for register of lands, received — votes; R. F. Wingate, for attorney general, received 33 votes, and Alexander M. Woolfolk, for attorney general, received — votes.

ABRAM W. GRAMMAR,
GEORGE HEADLER,
his
JOSEPH B. × THOMESSON.
mark.

Attest:
R. A. STEVEN,
ROBERT P. PHARESS,
State Clerks.

STATE OF MISSOURI, *County of Laurence, ss:*

I, John S. Wilson, clerk of the county court of Laurence county, Missouri, certify that the document to which this certificate is attached is a correct copy in every particular of the poll-book returned to my office of an election held by company D, forty-sixth regiment Missouri volunteer infantry; that the certificate on the original does not cover the twenty-eight votes given for John R. Kelso, nor the six votes given for S. H. Boyd. I further certify that when I (with the other officers) cast up the vote of the general election held on eighth day of November, 1864, I cast up and counted these twenty-eight votes for Kelso for Congress, and the six votes for Boyd for Congress. And I further certify that in my certificate to the secretary of state giving the number of votes John R. Kelso got for Congress in Laurence county at said general election, the twenty-eight votes in this poll-book were included, and also were the six votes given for Boyd on this poll-book included in the general result for him. The document is a full and complete copy of the poll-book of said company for said general election held on 8th November, 1864.

In testimony whereof, I have hereto set my hand and affixed the seal of said court. Done at office in Mount Vernon, Missouri, this 11th day of November, 1865

[SEAL.]

JOHN S. WILSON,
Clerk County Court.

T.

Poll-book for the electors from ——— county, Missouri, belonging to Captain ——— company, in the ——— regiment Missouri ———, at ———, November 8, 1864.

Names of voters.	For President, Abraham Lincoln. For Vice-President, Andrew Johnson.				For President, Geo. B. McClellan. For Vice-President, George H. Pendleton.				For governor.		For lieut. governor.		For secy of state.		For auditor of state.		For State treasurer.		For registerof lands.	For attorney gen-eral.	For Congress.				For State senate.		For representatives.		For sheriff.		For circuit attorney.	For delegates to State convention.			For State convention.	Against State convention.
	For electors.				For electors.																															
	T. J. C. Fagg.	William Smith.	J. C. Parker.	Charles Carpenter.	George R. Smith.	H. J. Linbenbower.	James C. Killian.	Barnabas Smith.	Lucien Eaton.	C. E. Drake.	S. O. Schofield.	T. E. Hutton.	Henry S. Lipscomb.	Elijah H. Norton.	Joseph P. (trubb.	J. Edward Buler.	Dabney C. Dade.	Perman A. Rozier.	D. H. Armstrong.	Wm. H. Lackland.	James Moss.	Christian Kirby.	Thos. C. Fletcher.	Thomas L. Price.	George Smith.	Luke W. Burris.	Francis Rodman.	James McFerran.	Alonzo Thompson.	Charles C. Rozier.	William Bishop.	Geo. C. Bingham.	J. R. Smith.	Walter P. Billings.	R. P. Wingate.	Alex. M. Woolfork.	John R. Kelso.	S. H. Boyd.	——— Hubble.	P. B. Larimore.	———.	———.	Thos. R. Whaley.	Geo. W. Rinker.	H. Chilldress.	A. P. Gibson.	Joseph Estes.	Geo. W. Randolph.	J. M. Grammar.	Archable Gilbert.	Lyman Beaman.		
S. E. Roberts	1	1	1	1	1	1	1	1	1	1	1											1	1	1	1	1	1	1	1	1	1	1

| | | |

STATE OF MISSOURI, *County of Lawrence, ss:*

I, John S. Wilson, clerk of the county court of Lawrence county, do hereby certify that the annexed document is a full, true, and complete copy of the original poll-book now on file in my said office of the vote of company B, 7th provisional regiment of enrolled Missouri militia, given at the general election held on the 8th day of November, A. D. 1864. And I further certify, that in my certificate to the secretary of state, that I certified that John R. Kelso received thirty-two for Congress, and that S. H. Boyd received no votes. And I further certify, that the thirty-two votes were included in the number of votes that I certified to the secretary of state, that John R. Kelso had received in Lawrence county, Missouri, at said general election.

In witness whereof, I, John S. Wilson, clerk of the county court of Lawrence county, have hereto set my hand and affixed the seal of said court, at office, in Mount Vernon, Lawrence county, Missouri, this 11th day of November, A. D. 1865.

[SEAL.]

JOHN S. WILSON,
Clerk County Court.

STATE OF MISSOURI, *County of Lawrence, ss:*

I, Richard H. Landrum, presiding justice of the county court of Lawrence county, Missouri, certify that said court is a court of record, and that the certificate or attestation of John S. Wilson, clerk of said court, above given is in due form and by the proper officer.

RICHARD H. LANDRUM,
Presiding Justice County Court.

We hereby certify that Abraham Lincoln for President, and Andrew Johnson for Vice-President: For presidential electors, S. O. Schofield received 33 votes; C. D. Drake received 33 votes; Lucien Eaton received 33 votes; Barnabas Smith received 33 votes; James C. Killian received 33 votes; H. J. Lenderbower received 33 votes; George R. Smith received 33 votes; Charles Carpenter received 33 votes; J. C. Parker received 33 votes; W. Smith received 33 votes; J. T. C. Fagg received 33 votes. George B. McClellan for President, and George H. Pendleton for Vice-President: Presidential electors, Christian Kribben received — votes; James H. Moss received — votes; William H. Lackland received — votes; David H. Armstrong received — votes; Firman A. Rozier received — votes; Dabney C. Dade received — votes; J. Edward Belch received — votes; Elijah H. Norton received — votes; J. P. Grubb received — votes; H S. Lipscomb received — votes; J. E. Hutton received — votes; T. C. Fletcher for governor received 32 votes, and T. L. Price for governor received — votes; George Smith for lieutenant governor received 30 votes, and Luke W. Burris for lieutenant governor received — votes; Francis Rodman for secretary of state received 29 votes, and James McFerren for secretary of state received — votes; Alonzo Thompson for auditor of state received 29 votes, and Charles C. Rozier for auditor of state received — votes; William Bishop for treasurer of state received 29 votes, and George C. Bingham for treasurer of state received — votes; J. E. Smith for register of lands received 29 votes, and W. P. Billings for register of lands received — votes; R. F. Wingate for attorney general received 29 votes; Alexander M. Woolfork for attorney general received — votes; John R. Kelso for Congress received 32 votes, and S. H. Boyd for Congress received — votes; T. R. Whaley for representative received 15 votes, and G. W. Renker for representative received 6 votes; H. R. Childress for sheriff received 20 votes, and A. P. Gibson for sheriff received 4 votes; Joseph Ester for circuit attorney received 11 votes, and G. W. Randolph received 4 votes; J. M. Gram-

mar for delegate to State convention received 3 votes, and A. Gilbert for delegate to State convention received 3 votes; for State convention 3 votes.

I do hereby appoint G. S. D. Jones and Elias Beckham, members of company B, 7th provisional regiment enrolled Missouri militia, as judges to hold the present election.

We do solemnly swear that we will impartially discharge the duties of judges of the present election according to law to the best of our abilities. So help us God.

WM. M. GUN.
ELIAS BECKHAM.
G. S. D. JONES.

Sworn to and subscribed before me this 8th day of November, 1864.

S. E. ROBERTS, *Captain Company B.*

We hereby appoint Levi O. Clayton and John D. Jones as clerks of the present election.

WM. M. GUN.
ELIAS BECKHAM.
G. S. D. JONES.

We do solemnly swear that we will faithfully record the names of the voters and distinctly carry out in lines and columns the name of the person for whom each voter votes.

LEVI O. CLAYTON.
JOHN D. JONES.

Sworn to and subscribed before me this 8th day of November, 1864.

S. E. ROBERTS, *Captain Company B.*

U.

Poll-book for the electors from Lawrence county, belonging to Capt. Green C. Stotts's (C) company, in the 7th provisional E. M. M. regiment, Missouri volunteers, at Cave Springs, Jasper county, Mo., November 8, 1864.

Names of voters.	For President, Abraham Lincoln. For Vice-President, Andrew Johnson.										For President, Geo. B. McClellan. For Vice-President, George Pendleton.											
	For electors.								Electors at large.		For electors.								Electors at large.			
	J. T. C. Fagg.	W. Smith.	J. C. Parker.	Charles Carpenter.	George R. Smith.	H. J. Lindenbower.	James G. Killian.	Barnabas Smith.	Lucien Eaton.	C. D. Drake.	S. O. Schofield.	Joseph F. Grubb.	J. E. Hutton.	Henry S. Lipscomb.	Elijah H. Norton.	J. Edward Belch.	Dabney C. Dade.	Firman A. Rozier.	David H. Armstrong.	Wm. H. Lackland.	James H. Moss.	Christian Krebben.	Thomas C. Fletcher for governor.	Thomas L. Price for governor.
1. Green C. Stotts	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
2. Benjamin Kee	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
3. Daniel Poll	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
4. S. E. Rangar	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
5. D. M. Downing	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
6. John Snow	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
7. G. H. Colley	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
8. W. L. Snead	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
9. E. F. Oliver	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
10. B. J. Colley	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
11. M. J. Camden	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
12. G. F. Sanders	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
13. James C. Hunt	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
14. Jacob Dunkel	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
15. Benj. Stotts	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
16. David Kagle	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
17. William S. White	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
18. Martin Snow	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
19. J. M. Welbanks	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
20. Thos. Snow	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
21. H. H. Martin	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
22. J. R. Green	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
23. Harry Esleck	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
24. George F. Schooling	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
25. Robert Downing	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
26. Gilbert Schooling	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	1	..
27. R. P. Colley	1	1	1	1	1	1	1	1	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
	27	27	27	27	27	27	27	27	27	27	27	..	..	..	..	..	..	..	..	..	..	..	17	..

U.—*Poll-book for the electors from Lawrence county, &c.*—Continued.

Names of voters.	George Smith for lieutenant governor.	Luke W. Burris for lieutenant governor.	Francis Rodman for secretary of state.	James McFerran for secretary of state.	Alonzo Thompson for auditor of state.	Charles C. Kozier for auditor of state.	William Bishop for State treasurer.	George C. Bingham for State treasurer.	J. E. Smith for register of lands.	Walter Pillings for register of lands.	R. F. Wingate for attorney general.	Alexander M. Woolfolk for attorney general.	J. R. Kelso for Congress.	S. H. Boyd for Congress.	——— for State senate.	——— ——— for State senate.	T. R. Whaley for representative.	G. W. Renker for representative.	Henry Childress for sheriff.	A. P. Gibson for sheriff.	G. W. Randolph for circuit attorney.	Joseph Estes for circuit attorney.	Lyman Beeman for delegate to State convention.	Arch. Gelbert for delegate to State convention.	For State convention.	Against State convention.	James Fike for county court justice.	James Cherry for county court justice.
1. Green C. Stotts	1	..	1	..	1	..	1	..	1	..	1	..	1	..	..	..	..	1	1	..	..	1	..	1	1	..	..	..
2. Benjamin Kee	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	1	..	..	..	1	..	..	..	..	..
3. Daniel Poll	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	1	..	..	..	..	..	..	1	..	..	..
4. S. E. Rungar	1	..	1	..	1	..	1	..	1	..	1	..	1	..	..	..	..	1	..	..	1	..	..	..	..	1	..	..	..
5. D. M. Downing	1	..	1	..	1	..	1	..	1	..	1	..	1	..	..	..	..	1	..	1	..	..	..	..	..	1	..	..	..
6. John Snow	1	..	1	..	1	..	1	..	1	..	1	..	1	..	..	..	..	1	..	..	1	..	..	..	..	1	..	..	..
7. G. H. Colley	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	1	..	..	..	..	..	1	..	..	1
8. W. L. Snead	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	1	..	..	..	..	..	1	..	..	1
9. E. F. Oliver	1	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	1	..	..	..	..	..	1	..	..	1
10. B. J. Colley	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	1	..	..	..	..	..	1	..	..	1
11. M. J. Camden	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	1	..	..	..	..	..	1	..	..	1
12. G. F. Sanders	1	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..
13. James C. Hunt	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	1	..	..	..	..	..	..	1	..	1
14. Jacob Dunkel	1	..	1	..	1	..	1	..	1	..	1	..	1	..	..	..	..	1	..	..	1	..	..	..	..	..	1	..	1
15. Benj. Stotts	1	..	1	..	1	..	1	..	1	..	1	..	1	..	..	..	..	1	..	1	..	1	..	1	..	1	..	..	1
16. David Kagle	1	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	..	..	..	..	..	..	..	1	..	..
17. William S. White	1	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	..	..	..	..	..	..	..	1	..	..
18. Martin Snow	1	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	1	..	1	..	..	..	..	..	1	..	1
19. J. M. Welbanks	1	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	..	1	..	..	..	1	..	..	..	..
20. Thos. Snow	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	..	1	..	..	..	1	..	..	..	..
21. H. H. Martin	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	1	..	1	..	..	..	..	..	..	..	..
22. J. R. Green	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	..	1	..	..	..	..	..	..	..	..
23. Harry Esleck	1	..	1	..	1	..	1	..	1	..	1	..	1	..	..	..	..	1	..	..	1	..	..	..	..	..	1	..	1
24. George F. Schooling	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	..	1	..	..	..	..	..	..	..	1
25. Robert Downing	1	..	1	..	1	..	1	..	1	..	1	..	1	..	..	..	..	1	..	1	..	1	..	..	1	1	..	..	1
26. Gilbert Schooling	1	..	1	..	1	..	1	..	1	..	1	..	1	..	..	..	..	..	1	1	..	..	1	..	1	1	..	..	1
27. R. P. Colley	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	..	1	..	..	1	..	1	..	..	1	1
	15	..	9	..	9	..	9	..	9	..	9	..	27	..	..	..	..	16	8	12	12	2	3	..	8	4	17	..	14

I do hereby appoint Robert Downing, George F. Schooling and Harvey Eslick members of C company, 7th provisional enrolled Missouri militia regiment, Missouri, in United States service, as judges to hold the present election.

We do solemnly swear that we will impartially discharge the duties of judges of the present election according to law to the best of our abilities: So help us God.

ROBERT DOWNING.
GEORGE F. SCHOOLING.
HARVEY ESLICK.

Sworn to and subscribed before me this 8th day of November, 1864.
GREEN C. STOTTS.

We hereby appoint R. P. Colley and Gilbert Schooling as clerks of the present election.

ROBERT DOWNING.
GEORGE F. SCHOOLING.
HARVEY ESLICK.

We do solemnly swear that we will faithfully record the names of the voters and distinctly carry out in lines and columns the name of the person for whom each voter votes.

R. P. COLLEY.
GILBERT SCHOOLING.

Sworn to and subscribed before me this 8th day of November, 1864.
ROBERT DOWNING.

We hereby certify that Abraham Lincoln for President, and Andrew Johnson for Vice-President: for presidential electors, S. O. Schofield received 27 votes; C. D. Drake received 27 votes; George R. Smith received 27 votes; Lucian Eaton received 27 votes; Barnabas Smith received 27 votes; James C. Killian received 27 votes; H. J. Lindenbower received 27 votes; George R. Smith received 27 votes; Charles Carpenter received 27 votes; J. C. Parker received 27 votes; W. Smith received 27 votes; T. J. C. Fagg received 27 votes. George B. McClellan for President, and George H. Pendleton for Vice-President: for presidential electors, Christian Krebben received — votes; James H. Moss received — votes; William H. Lackland received — votes; David H. Armstrong received — votes; Freeman A. Rozier received — votes; Dabney C. Dade received — votes; J. Edward Welch received — votes; Elijah H. Norton received — votes; J. P. Grubb received — votes; H. S. Lipscomb received — votes; J. E. Hutton received — votes. T. C. Fletcher for governor received 17 votes, and T. L. Price for governor received — votes. George Smith for lieutenant governor received 15 votes, and Luke W. Burress for lieutenant governor received — votes. Francis Rodman for secretary of state received 9 votes, and James McFerrin for secretary of state received — votes. Alonzo Thompson for auditor of state received 9 votes, and Charles C. Rozier for auditor of state received — votes. William Bishop for treasurer of state received 9 votes, and George C. Bingham for treasurer of state received — votes. J. E. Smith for register of lands received 9 votes, and W. P. Billings for register of lands received — votes. R. F. Wingate for attorney general received 9 votes, and Alexander M. Woolfolk for attorney general received — votes. J. R. Kelso for Congress received 27 votes. T. R. Whaley for representative received 16 votes, George W. Renker for representative received 8 votes. Henry

Childers for sheriff received 12 votes, A. P. Gibson for sheriff received 12 votes G. W. Randolph for circuit attorney received 2 votes, Joseph Estes for circuit attorney received 3 votes. Arch. Gilbert for convention received 8 votes. James Cherry for county court justice received 15 votes. For convention received 4 votes, against convention 18 votes.

STATE OF MISSOURI, *County of Lawrence, ss:*

I, John S. Wilson, clerk county court of Lawrence county, Missouri, certify the document to which this is attached is a correct, perfect, and true copy (with its indorsements) of the original on file in my office of a poll-book of an election held by company C, seventh provisional regiment of the enrolled Missouri militia, at the general election on 8th November, 1864, and that the twenty-seven votes on said original book given for John R. Kelso as a candidate for Congress were cast up for him and included in the number of votes I certified to the secretary of state as having been given for said Kelso for Congress at said general election, and that S. H. Boyd, a candidate for Congress, had no votes.

In witness whereof, I, John S. Wilson, clerk of the county court [SEAL.] of Lawrence county, have hereunto set my hand and affixed the seal of said court, at office, in Mount Vernon, this 11th day of November, A. D. 1865.

JOHN S. WILSON,
Clerk County Court.

STATE OF MISSOURI, *County of Lawrence, ss:*

I, Richard H. Landrum, presiding justice of the county court of Lawrence county, Missouri, certify said court is a court of record and that the certificate or attestation of John S. Wilson, clerk of said court, above given, is in due form; and I further certify it is by the proper officer.

RICHARD H. LANDRUM,
Presiding Justice County Court.

V.

All persons voting are required to take the oath prescribed by the convention, as follows, to be administered by either of the judges of the election.

AN ORDINANCE defining the qualifications of voters and civil officers of this State.

Be it ordained by the people of the State of Missouri in convention assembled, as follows:

SECTION 1. No person shall vote at any election to be hereafter held in this State, under or in pursuance of the constitution and laws thereof, whether State, county, township, or municipal, who shall not, in addition to possessing the qualifications already prescribed for electors, previously take an oath in form as follows, namely:

I, , do solemnly swear (or affirm, as the case may be) that I will support, protect, and defend the Constitution of the United States and the constitution of the State of Missouri against all enemies and opposers,

whether domestic or foreign; that I will bear true faith, loyalty, and allegiance to the United States, and will not, directly or indirectly, give aid and comfort or countenance to the enemies or opposers thereof, or of the provisional government of the State of Missouri, any ordinance, law, or resolution of any State convention or legislature, or any order or organization, secret or otherwise, to the contrary notwithstanding; and that I do this with a full and honest determination, pledge, and purpose faithfully to keep and perform the same, without any mental reservation or evasion whatsever.

And I do further solemnly swear (or affirm) that I have not, since the seventeenth day of December, A. D. 1861, wilfully taken up arms or levied war against the United States or against the provisional government of the State of Missouri. So help me God.

STATE OF MISSOURI, *County of St. Louis, ss:*

Poll-book of an election of company I of second regiment of Missouri light artillery, held on board steamer Decanter, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the —— district, a governor, lieutenant governor, secretary of state, auditor of public accounts, state treasurer, register of lands, and attorney general for the State of Missouri; State senators, county representatives in the legislature, for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailor, coroner, and justices of the county court for Lawrence county, Missouri. William H. Ward, George Claypool, and John D. Coper being judges, and James H. Matthews and Franklin Henderson being clerks, for said election, who were severally sworn as the law directs previous to their entering on the duties of their respective offices.

(NOTE.—Three good, discreet, and disinterested persons, members of a company in which there are any qualified voters of Missouri, shall be appointed judges of the election by the commanding officer of the company, who shall administer the following oath to such judges before they enter upon their duties; the blanks in the following affidavit should be properly filled up, to wit: the State and county, the names of the three judges, and the affidavit be signed by the judges in their own handwriting, and the name of the company commander put to the certificate, all in the places indicated.)

STATE OF MISSOURI, *County of St. Louis, ss:*

We, Wm. H. Ward, George Claypool, and John D. Cooper, do swear that we will impartially discharge the duty of judges of the present election according to law and the best of our abilities, and will record nor permit to be recorded the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters and civil officers in Missouri.

WILLIAM H. WARD.
GEORGE CLAYPOOL.
JOHN D. COOPER.

Sworn to and subscribed before me the 8th day of November, 1864.

S. H. JULIAN, *Captain,*
Battery I, Co. Com'd'g Officer, 2d Mo. Art.

NOTE.—Fill up the blank abstract on the last page of this book.

[NOTE.—The three judges appointed as above directed shall appoint two clerks, who, before entering on the duties of their appointment, shall take the following oath, to be administered by one of the persons so appointed as judges of the election, filling up the blanks, the name of the State, county, names of the clerks, and must be signed by both clerks and the judge who administers the oath.]

COUNTY OF ST. LOUIS, *ss.*

We, James H. Matthews and Franklin Henderson, do swear that we will faithfully record the names of all the voters at the present election, and distinctly carry out in lines and columns the name of the person for whom each voter votes, and will not record nor permit to be recorded the name of any voter, who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters.

JAMES H. MATTHEWS.
FRANKLIN C. HENDERSON.

Sworn to and subscribed before me the 8th day of November, 1864.

WILLIAM H. WARD,
One of the Judges of Election.

| Number. | Voters' names. | Residence. | For presidential electors. | | |

STATE OF ———, COUNTY OF———, *ss:*

Abstract of votes given at an election held at ———, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States, for the ——— district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general of the State of Missouri, ——— senator, ——— representatives in the legislature, for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for ——— county.

Names of persons voted for, and for what office, and the number of votes given each candidate.

For presidential electors: S. O. Scofield had —— votes; C. D. Drake had —— votes; Lucien Eaton had —— votes; Barnabas Smith had —— votes; J. C. Killian had —— votes; H. J. Lindenbower had —— votes; George R. Smith had —— votes; Charles Carpenter had —— votes; J. C. Parker had —— votes; W. Smith Ingham had —— votes; T. J. C. Fagg had —— votes.

For governor, Thomas C. Fletcher had —— votes.

For lieutenant governor, George Smith had —— votes.

For secretary of state, F. Rodman had —— votes.

For State auditor, Alonzo Thompson had —— votes.

For State treasurer, William Bishop had —— votes.

For register of lands, J. E. Smith, had ——votes.

For attorney general, Robert F. Wingate had —— votes.

For Congress, —— —— district, ——— ——— had ——votes.

For State senator, ——— ——— had —— votes.

For State convention, ——— ——— had —— votes.

For county treasurer, ——— ——— had —— votes.

For county sheriff, ——— ——— had —— votes.

For county marshal, ——— ——— had —— votes.

For county jailer, ——— ——— had —— votes.

For circuit attorney, ——— ——— had —— votes.

For assistant circuit attorney, ——— ——— had —— votes.

For coroner, ——— ——— had —— votes.

For judge probate court, ——— ——— had —— votes.

For clerk circuit court, ——— ——— had —— votes.

For county school commissioner, ——— ——— had —— votes.

For county justice, ——— ——— had —— votes.

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election.

Witness our hands, the 8th day of November, 1865.

WILLIAM C. WARD,
JOHN C. COOPER,
GEORGE CLAYPOOL,
Judges.

Attest:

JAMES H. MATHEWS,
FRANKLIN C. HENDERSON,
Clerks.

STATE OF MISSOURI, *County of Lawrence, ss:*

I, John S. Wilson, clerk county court of Lawrence county, Missouri, certify the foregoing is a correct and perfect copy of the poll-book of company I, second Missouri light artillery, at the general election held on eighth (8th) day of November, 1864, now on file in my office. I further certify that when I cast up the votes for Lawrence county for each county, I cast up the twenty-two votes on this book for Kelso, and also the one vote for Boyd I cast up for him. I further certify that when I certified the number of votes to the secretary of state that John R. Kelso got for Congress, the twenty-two on this poll-book were included, and also the one vote on this book for Boyd was included in the certificate showing the number of votes he got.

In testimony whereof, I have hereto set my name and the seal of said [SEAL.] court. Done at office this 11th day of November, 1865.

JOHN S. WILSON,
Clerk County Court.

I, Richard H. Landrum, presiding justice of the county court of Lawrence county, Missouri, certify that said court is a court of record, and that the certificate or attestation of John S. Wilson, clerk of said court, above given, is in due and correct form, and by the proper officer.

RICHARD H. LANDRUM,
Presiding Justice County Court.

W.—*Poll-book of a general election held at Post Neosho, Newton county, State of Missouri, on Tuesday, the 8th day of November, 1864, by the qualified voters of company L, 8th Missouri State militia cavalry.*

| Names of voters. | For President. | For Vice-President. | For presidential electors at large. | For electors. | | |

STATE OF MISSOURI, *County of Lawrence, ss:*

I, John S. Wilson, clerk county court of Lawrence county, Missouri, certify the within is a correct and perfect copy of the original poll-book, and that the indorsement hereon is a perfect copy of the indorsements on the original. I further certify that when I cast up the vote of Lawrence county for each candidate for Congress, given at the general election on 8th day of November, 1864, the twenty-one votes on this poll-book were cast up for John R. Kelso, and these twenty-one votes are part of the votes I certified to the secretary of the State of Missouri as having been cast at said general election in Lawrence county for John R. Kelso for Congress.

In testimony whereof, I have hereto set my hand and affixed the seal of said court. Done at office this 11th day of November, 1865.

[SEAL.]

JOHN S. WILSON,
Clerk County Court.

I, Richard H. Landrum, presiding justice county court of Lawrence county, certify that said court is a court of record, and that the above certificate and attestation of John S. Wilson, clerk of said court, is in correct and proper form, and by the proper officer.

RICHARD H. LANDRUM,
Presiding Justice County Court

X.—*Poll-book for the electors from ——— county, Missouri, belonging to Captain ——— ——— (—) company in the ——— regiment ———, at ———, November 8, 1864.*

Names of voters.	For President, Abraham Lincoln. For Vice-President, Andrew Johnson. — For electors.										Electors at large.		For President, Geo. B. McClellan. For Vice-President, George H. Pendleton. — For electors.										Electors at large.		For governor.		For lt. gov.		For secretary of state.		For auditor of state.		For State treasurer.		For register of lands.		For attorney general.		For Congress.		For State senate.		For representative.		For sheriff.		For circuit attorney.		For delegates to State convention.				For State convention.	Against State convention.
	T. J. C. Flagg.	Wm. Smith.	J. C. Parker.	Charles Carpenter.	George R. Smith.	H. J. Lenderbower.	James C. Killian.	Barnabas Smith.	Lucian Eaton.	S. O. Scofield.	C. D. Drake.		Joseph P. Grubb.	J. E. Hutton.	Henry S. Lipscomb.	Elijah H. Norton.	J. Edward Belch.	Dobney C. Dade.	Forman A. Rozier.	D. H. Armstrong.	Wm. H. Lackland.	James H. Moss.	Christian Kribben.		Thos. C. Fletcher	Thos. L. Price.	George Smith.	Luke W. Barris.	Francis Rodman.	James McFerron.	Alonzo Thompson.	Charles C. Rozier.	William Bishop.	Geo. C. Bingham.	J. E. Smith.	Walter P. Billings.	R. F. Wingate.	Alex. M. Woolfork.	John R. Kelso.	S. H. Boyd.	M. J. Hubble.	——— ———	——— ———	Geo. W. Renker.	——— ———	A. P. Gibson.	H. C. Chelders.	——— ———	——— ———	P. Grammar.	Arch'd Gilbert.	Col. Beaman.					
Ozias Ruark	1	1	1	1	1	1	1	1	1	1	1													1		1																											
John Bentley	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Wm. C. Appleby	1	1	1	1	1	1	1	1	1	1	1													1		1																											
John Jeffords	1	1	1	1	1	1	1	1	1	1	1													1		1																											
John R. Bridges	1	1	1	1	1	1	1	1	1	1	1													1		1																											
J. B. Davis	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Joseph Finch	1	1	1	1	1	1	1	1	1	1	1																											1														
George Long	1	1	1	1	1	1	1	1	1	1	1													1		1																											
W. R. Underwood	1	1	1	1	1	1	1	1	1	1	1																																									
James H. Elim	1	1	1	1	1	1	1	1	1	1	1																											1														
W. Kemberling	1	1	1	1	1	1	1	1	1	1	1																											1														
Joshua Ruark	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Isaac Ruth	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Wm. Mathews	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Eli Blanchard	1	1	1	1	1	1	1	1	1	1	1													1		1																											
James M. Thomas	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Thomas B. Gebb	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Wm. H. Thaxton	1	1	1	1	1	1	1	1	1	1	1													1		1																											
R. R. Downing	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Joseph S. Patton	1	1	1	1	1	1	1	1	1	1	1													1		1																											
D. D. Nicholson	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Levi P. Downing	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Elkana Eckles	1	1	1	1	1	1	1	1	1	1	1													1		1																											
D. M. Mason	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Casper Melcher	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Timothy Maples	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Nathaniel Reeves	1	1	1	1	1	1	1	1	1	1	1													1		1																											
Elijah Wiggins	1	1	1	1	1	1	1	1	1	1	1													1		1																											
	28																							20		20											21				9		4				9	9	15		

I do hereby appoint ——— ——— ——— ———, members of —— company, regiment Missouri ——— ———, as judges to hold the present election.

——— ———.
——— ———.

We do solemnly swear that we will impartially discharge the duties of judges of the present election according to law to the best of our ability. So help us God.

——— ———.
——— ———

Sworn to and subscribed before me this 8th day of November, 1864.

——— ———,

We hereby appoint ——— ——— and ——— ———, as clerks of the present election.

——— ———.
——— ———.

We do solemnly swear that we will faithfully record the names of the voters, and distinctly carry out in lines and columns the name of the person for whom each voter votes.

——— ———.
——— ———.

Sworn to and subscribed before me this 8th day of November, 1864.

——— ———.

STATE OF MISSOURI, *County of Lawrence, ss:*

I, John S. Wilson, clerk county court of Lawrence county, Missouri, certify the document to which this is attached is a correct, perfect, and true copy of the original, with its indorsements thereon, on file in my office. I further certify the twenty-one votes on the original of this, given for John R. Kelso as a candidate for Congress, at the regular election on eighth day of November, 1864, were cast up for him and were a part of and included in the number of votes I certified to the secretary of state that John R. Kelso received as a candidate for Congress, at said general election, in Lawrence county. Boyd got none on this poll-book.

In testimony whereof, I have hereto set my hand and affixed the seal [SEAL.] of said court. Done at office this 11th day of November, 1865.

JOHN S. WILSON,
Clerk County Court.

I, Richard H. Landrum, presiding justice of the county court of Lawrence county, Missouri, certify that said court is a court of record, and that the attestation of John S. Wilson, clerk of said court, above given, is in due and correct form, and is by the proper officer.

RICHARD H. LANDRUM,
Presiding Justice County Court.

Y.

Poll-book for election held in Pond Creek township, Greene county, Missouri, on the 8th day of November, 1864.

Number and names of voters.

No. 1. J. C. Cauley.
2. J. N. Walker.
3. T. J. Wallis.
4. Jole Jines.
5. John Etharge.
6. Alexander Thompson.
7. Jackson McDaniel.
8. J. A. Hendrix.
9. H. A. Spansberry.
10. Barten Cameron.
11. J. J. Hill.
12. F. B. Youngblood.
13. Wm. Layfayette.
14. J. M. O'Niel.
15. J. W. Hart.
16. Joseph Harper.
17. W. B. O'Niel.
18. Green Thornhill.
19. W. Sparkman.
20. John Harper.
21. T. B. Richman.
22. A. Heranton.
23. W. W. Garoute.
24. J. R. Blades.
25. J. G. Custo.
26. John Eadon.
27. W. E. Vauhn.
28. Pall May.
29. Wiley Blavens.
30. J. B. O'Neal.
31. W. J. Crow.
32. John Wood.
33. John Shockley.
34. Davis Switzer.
35. J. Murry.
36. B. F. Roads.
37. M. G. Gonette.
38. Jacob Hart.
39. Joseph Wade.
40. A. J. Boman.
41. W. T. Walker.
42. G. M. Laney.
43. Moses Cockrell.
44. P. G. Anderson.
45. James Sexton.
46. A. Obanion.
No. 47. D. D. Reynolds.
48. John Bertis.
49. Robert Batsan.
50. J. M. Everheart.
51. A. B. Reynolds.
52. E. Loveless.
53. G. D. Hughs.
54. Moses Gilbert.
55. Wm. McDaniel.
56. S. Rose.
57. J. A. Buckner.
58. J. A. Lile.
59. Q. T. Blades.
60. A. M. Roberson.
61. J. B. Raney.
62. John Gascons.
63. George Youngblood.
64. Oby Ragsdale.
65. J. Hines.
66. J. H. Ragsdale.
67. L. Wilson.
68. Alford Ragsdale.
69. Levi Ragsdale.
70. N. Batson.
71. T. Batson.
72. W. W. Fane.
73. E. A. Blake.
74. J. C. McDaniel.
75. J. H. West.
76. J. M. Brittain.
77. F. M. Jones.
78. W. T. Long.
79. G. W. Baldwin.
80. Leven Ragsdale.
81. R. Thompson.
82. G. D. Peddix.
83. Davis Garoute.
84. W. M. Bates.
85. John McDaniel.
86. G. W. Brittain.
87. R. D. Blades.
88. C. O. Raney.
89. John Laney.
90. Wm. Cleliarn.
91. Albert Obanion.
92. Charles Bleven.

For President, Abraham Lincoln.
Electors: S. O. Scofield, 90; E. D. Drake, 90; Lucien Eaton, 90; Barnabas

Smith, 90; James C. Killian, 90; H. J. Lindenbower, 90; G. R. Smith, 90; Charles Carpenter, 90; J. C. Parker, 90; W. Smith, 90; J. F. C. Fagg, 90.
For governor, T. C. Fletcher, 83.
For lieutenant governor, George Smith, 83.
For secretary of state, Francis Rodman, 83.
For auditor, Alonzo Thompson, 83.
For treasurer, William Bishop, 83.
For register of lands, J. E. Smith, 83.
For attorney general, R. T. Wingate, 83.
For Congress, S. H. Boyd, 6; R. R. Kelso, 78.
For senate, J. W. D. L. F. Mack, 30; J. M. Moore, 50.
For convention, R. L. Childress, 81; John A. Mack, 81.
For representative, S. W. Headley, 73; T. A. Read, 14; G. B. Phillips, 61.
For sheriff, J. A. Patterson, 69.
For county justice, Benjamin Kite, 19.
For treasurer, James Abbott, 14.
For assessor, J. M. Rountree, 16.
For circuit attorney, John R. Cox, 63.
For justice of the peace, Wm. Cliham, 55; W. D. Sparkman, 55.
For circuit clerk, T. W. Patterson, 9.
For constable, G. W. Brittain, 56.

Names of persons voted for, and for what office, containing the number of votes given for each candidate.

For President, Abraham Lincoln.
For Vice-President, Andrew Johnson.
For presidential electors at large: S. O. Schofield, 90; C. D. Drake, 90.
For electors: Lucien Eaton, 90; Barnabas Smith, 90; James C. Killian, 90; H. J. Lindenbower, 90; George R. Smith, 90; Charles Carpenter, 90; J. C. Parker, 90; W. Smith, 90; J. T. C. Fagg.
For President, George B. McClellan.
For Vice-President, George H. Pendleton.
For presidential electors at large: Christian Kribben, —; James H. Moss, —.
For electors: William H. Lackland, —; David H. Armstrong, —; Firman A. Razier, —; Dabney C. Dade, —; J. Edward Belch, —; Elijah H. Norton, —; Joseph P. Grubb, —; Henry S. Lipscomb, —; J. E. Hutton.
For governor: Thomas C. Fletcher, 85; Thomas L. Price, —.
For lieutenant governor: George Smith, 85; Luke W. Burris, —.
For secretary of state: Francis Rodman, 85; James McFerran, —.
For auditor of state: Alonzo Thompson, 85; Charles C. Rozier, —.
For State treasurer: William Bishop, 85; George C. Bingham, —.
For register of lands: J. E. Smith, 85; Walter P. Billings, —.
For attorney general: R. F. Wingate, 85; Alexander M. Woolfolk, —.
For Congress: S. H. Boyd, 6; J. R. Kelso, 78; P. B. Larimore, —; Martin J. Hubble, —.
For State senate: J. W. D. L. F. Mack, 30; James M. Moore, 50.
For representatives: Thomas A. Reed, 14; Samuel W. Headley, 73; Chesley Cannefax, —; Green B. Phillips, 69.
For sheriff: John A. Patterson, 69.
For circuit attorney: John R. Cox, 63; James F. Hardin, —.
For assessor: Junius M. Rountree, 16.
For county justice: Benjamin S. Kite, 19.
For county treasurer: James Abbott, 14.
For constable: G. W. Bristain, 56.

For justices of the peace: W. D. Sparkman, 55; William Cleborn, 55.

For delegates to State convention: John A. Mack, 81; Robert L. Childress, 81.

We hereby certify that Abraham Lincoln for President, and Andrew Johnson for Vice-President: For presidential electors, S. O. Schofield received 90 votes, C. D. Drake received 90 votes, Lucien Eaton received 90 votes, Barnabas Smith received 90 votes, James C. Killian received 90 votes, H. J. Lindenbower received 90 votes, George R. Smith received 90 votes, Charles Carpenter received 90 votes, J. C. Parker received 90 votes, W. Smith received 90 votes, J. T. C. Fagg received 90 votes. George B. McClellan for President, and George H. Pendleton for Vice-President: For presidential electors, Christian Kribben received — votes, James H. Moss received — votes, William H. Lackland received — votes, David H. Armstrong received — votes, Firman A. Rozier received — votes, Dabney C. Dade received — votes, J. Edward Belch received — votes, Elijah H. Norton received — votes, J. P. Grubb received — votes, H. S. Lipscomb received — votes, J. E. Hutton received — votes; T. C. Fletcher, for governor, received 85 votes, and S. L. Price, for governor, received — votes; George Smith, for lieutenant governor, received 85 votes, Luke W. Burris, for lieutenant governor, received — votes; Francis Rodman, for secretary of state, received 85 votes, and James McFerran, for secretary of state, received — votes; Alonzo Thompson, for auditor of state, received 85 votes, and Charles C. Rozier, for auditor of state, received — votes; William Bishop, for treasurer of state, received 85 votes, and George C. Bingham, for treasurer of state, received — votes; J. E. Smith, for register of lands, received 85 votes, and W. P. Billings, for register of lands, received — votes; R. F. Wingate, for attorney general, received 85 votes, and Alexander M. Woolfolk, for attorney general, received — votes; S. H. Boyd, for Congress, received 6 votes, J. R. Kelso, for Congress, received 78 votes, P. B. Larimore, for Congress, received — votes, and M. J. Hubble, for Congress, received — votes; J. W. D. L. F. Mack, for State senate, received 30 votes, and James M. Moore, for State senate, received 50 votes; T. A. Reed, for representative, received 14 votes, S. W. Headlee, for representative, received 73 votes, Chesley Cannefax, for representative, received — votes, Green B. Phillips, for representative, received 61 votes; John R. Cox, for State's attorney, received 63 votes, and J. F. Hardin, for State's attorney, received — votes; John A. Patterson, for sheriff, received 69 votes; Junius Rountree, for assessor, received 16 votes; J. F. Brown, for coroner, received — votes; Benjamin Kite, for county justice, received 19 votes; James Abbott, for county treasurer, received 14 votes; G. W. Bristain, for constable, received 56 votes, —— ——, for constable, received — votes; William Cliborn, for justice of the peace, received 55 votes, and W. D. Sparkman, for justice of the peace, received 55 votes; John A. Mack, for State convention, received 81 votes; Robert L. Childress, for State convention, received 81 votes.

WILLIAM CLEBORNE,
C. O. RAMAY,
JOHN LANEY,
Judges.

W. N. BATES,
JOHN MCDANIEL,
Clerks.

STATE OF MISSOURI, *County of Greene, ss:*

I, John W. Lisenby, clerk of the county court of Greene county, State of Missouri, certify said court is a court of record, and that the document to which this certificate is attached is a correct, perfect, and true copy of every particular of a poll-book for election held in Pond Creek township Greene county Missouri on the 8th day of November, 1864.

I further certify that the seventy-eight (78) votes on said poll-book given for J. R. Kelso were cast up for him and included in the number of votes certified to the secretary of state of Missouri as having been cast in Greene county, Missouri, for J. R. Kelso, as a candidate for Congress at the general election on the 8th day of November, 1864.

I further certify, the six (6) votes on said poll-book given for S. H. Boyd were cast up for him, and certified to the secretary of state of Missouri, with other votes he received in Greene county, at said general election, as a candidate for Congress.

In testimony whereof, I have hereto set my hand and affixed the seal of said court. Done at office this 22d day of November, A. D. 1865.

[SEAL.]

JOHN W. LISENBY,
Clerk of County Court.

STATE OF MISSOURI, *County of Greene, ss:*

I, Benjamin F. Kite, presiding justice of the county court of Greene county, Missouri, certify said court is a court of record; that the foregoing attestation of John W. Lisenby, clerk of said court, is in due form, and is made by the proper officer.

BENJAMIN KITE,
Presiding Justice.

Z.—*Poll-book of a general election begun and held at the post of Neosho, Missouri, Tuesday, 8th day of November, 1864, by the qualified voters of detached company H, 8th M. S. M. cavalry.*

Names of voters.	For President, Vice-President, presidential electors at large, and electors.													For President, Vice-President, presidential electors at large, and electors.													For governor.		For lieut. governor.		For secretary of state, auditor, State treasurer, register of lands, attorney general, and Congress.										Names of counties in which each of the voters live.
	Abrahara Lincoln.	Andrew Johnson.	S. O. Seofield.	C. D. Drake.	Lucien Eaton.	Barnabas Smith.	James C. Killian.	H. J. Lindenbower.	George R. Smith.	Charles Carpenter.	J. C. Parker.	W. Smith.	J. T. C. Fagg.	George B. McClellan.	George H. Pendleton.	Christian Kribben.	James H. Moss.	Wm. H. Lackland.	David H. Armstrong.	Firman A. Rozier.	Dabney C. Dade.	J. Edward Belch.	Elijah H. Norton.	Joseph P. Grubb.	Henry T. Lipscomb.	J. E. Hutton.	Thomas C. Fletcher.	Thomas L. Price.	George Smith.	Luke W. Burris.	Francis Rodman.	S. James M. McFerran.	Alonzo Thompson.	Charles C. Rozier.	William Bishop.	George C. Bigham.	J. E. Smith.	Walter P. Billings.	R. F. Wingate.	Alex. M. Woolfolk.	S. H. Boyd.	J. R. Kelso.	P. B. Larrimore.	Martin J. Hubble.	
1. George W. Jones	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Polk county.
2. Thomas Brixy	1	1	1	1	1	1	1	1	1	1	1	1	1																										1		Webster county.
3. Jesse E. Riggs	1	1	1	1	1	1	1	1	1	1	1	1	1																										1		Wright county.
4. John Day	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Webster county.
5. John W. Braswell	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Greene county.
6. John A. Sartin	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Do.
7. John Amick	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Webster county.
8. Robert W. Hardin	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Wright county.
9. Aaron E. Allen	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Christian county.
10. Robert Hurt	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Wright county.
11. John Berry	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Webster county.
12. Joseph T. Mattney	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Do.
13. John W. Glenn	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Do.
14. John Prock	1	1	1	1	1	1	1	1	1	1	1	1	1													1		1											1		Wright county.
15. William R. Crisp	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Do.
16. Daniel Lawhorn	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Webster county.
17. Alfred Sterns	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Laclede county.
18. John H. Crisp	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Wright county.
19. Benjamin Denny	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Webster county.
20. Elijah Mottney	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Do.
21. William J. Lawhorn	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Do.
22. William H. Herndon	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Stone county.
23. M. T. Holder	1	1	1	1	1	1	1	1	1	1	1	1	1													1		1											1		Polk county.
24. William H. Floon	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Do.
25. Thomas J. Saxton	1	1	1	1	1	1	1	1	1	1	1	1	1													1													1		Dallas county.
Total	25	25	25	25	25	25	25	25	25	25	25	25	25													22		2											25		

We certify that the foregoing table, marked Z, is a correct copy of all the qualified voters of company H, 8th Missouri State militia cavalry, given at Neosho, Newton county, Missouri, on Tuesday, the 8th day of November, 1864.

WILLIAM HERNDON,
JOHN H. CRISP,
GEORGE W. JONES,
Judges.

M. F. HOLDEN,
WILLIAM H. SLOAN,
Clerks.

STATE OF MISSOURI, *County of Greene, ss:*

I, John Lisenby, clerk of the county court, in and for the county and State aforesaid, do hereby certify that said court is a court of record, and that the document to which this certificate is attached is a correct, perfect, and true copy in every particular of a "poll-book of a general election begun and held at the post of Neosho, Missouri, Tuesday, 8th day of November, 1864, by the qualified voters detached company H, 8th Missouri State militia."

I further certify that the twenty-five (25) votes on said poll-book given for John R. Kelso were cast up for him, and included in the number of votes certified to the secretary of state of Missouri, as having been cast in Greene county, Missouri, for J. R. Kelso as a candidate for Congress in the 4th congressional district, at the general election held on the 8th day of November, 1864.

I further certify that at this poll no votes were cast for S. H. Boyd.

In testimony whereof, I have hereto set my hand and affixed the seal of said court. Done at office this 22d day of November, A. D. 1865.

[SEAL.]

JOHN W. LISENBY,
Clerk County Court.

I, Benjamin F. Kite, presiding justice of the county court of Greene county, Missouri, certify said court is a court of record, and that the foregoing attestation of John W. Lisenby, clerk of said court, is in due form, and is made by the proper officer.

BENJAMIN KITE,
Presiding Justice.

1.—*Poll-book of a general election begun and held at the post of Neosho, Missouri, Tuesday, November* 8, 1864; *the qualified voters of detachment company M, eighth Missouri State militia.*

| Number and names of voters. | For President. | For Vice-President. | For electors at large, presidential. | For electors. | | |

STATE OF MISSOURI, *County of Greene, ss:*

I, John W. Lisenby, clerk of the county court in and for the county and State aforesaid, certify said court is a court of record, and that the document to which this certificate is attached is a correct, perfect, and true copy, in every particular, of a "poll-book of a general election begun and held at the post of Neosho, Missouri, Tuesday, November the 8th, 1864, the qualified voters of detachment company M, 8th Missouri State militia."

I further certify that the nineteen (19) votes on said poll-book given for J. R. Kelso were cast up for him and included in the number of votes certified to the secretary of state of Missouri as having been cast in Greene county, Missouri, for J. R. Kelso as a candidate for Congress in the fourth congressional district, at the general election held on the 8th day of November, 1864.

I further certify that the one (1) vote on said poll book given for S. H. Boyd was cast up for him and certified to the secretary of state of Missouri, with other votes he received in Greene county at said general election as a candidate for Congress.

In testimony whereof, I have hereto set my hand and affixed the seal of said court. Done at office this 22d day of November, A. D. 1865.

[SEAL.]

JOHN W. LISENBY,
Clerk County Court.

I, Benjamin F. Kite, presiding justice of the county court of Greene county, Missouri, certify said court is a court of record, and that the foregoing attestation of John W. Lisenby, clerk of said court, is in due form, and is made by the proper officer.

BENJAMIN KITE,
Presiding Justice.

II.

Poll-book for election held in Boon township, Greene county, Missouri, on the 8th day of November, 1864.

Number and names of voters.

1. Reuben Ton; 2. J. N. Fly; 3. Jno. R. Edwards; 4. Wilson Edwards; 5. Henry Myers; 6. Edward Woodward; 7. John McElhannan; 8. James C. Hulston; 9. R. W. Scaggs; 10. D. M. Sewell; 11. David Waddle; 12. A. Woodward; 13. Thomas Myers; 14. George Slatten; 15. Thomas Moore; 16. E. Browers; 17. John Clayfool; 18. John Gibbons; 19. B. F. Grantham; 20. Thos. Cuzesk; 21. Thomas Lawrence; 22. Jacob Longceyer; 23. Foster Creed; 24. L. Adams; 25. G. W. Delk; 26. W. A. Killingsworth; 27. S. P. Hughes; 28. Stephen Peck; 29. Thomas Combes; 30. F. S. Lawrence; 31. M. C. Combs; 32. A. G. Taylor; 33. E. W. Hurst; 34. George McGregor; 35. A. White; 36. George Burness; 37. A. C. Sloan; 38. Hugh Gilmore; 39. Joel King; 40. A. Edmonson; 41. G. A. Parker; 42. A. Kelley; 43. M. W. Ackerson; 44. J. J. Ooley; 45. Samuel Downing; 46. Peter Ooley; 47. H. S. W. Killingsworth; 48. J. S. Mahan; 49. R. F. Say; 50. J. L. Roberts; 51. Wm. Butham; 52. Aaron Butham; 53. J. W. Beame; 54. A. H. Sunville; 55. G. S. Hale; 56. A. Dearman; 57. Wm. J. Burney; 58. James Cass; 59. R. Linville; 60. Wm. Cook; 61. Wm. Dobbs; 62. W. B. Bagley; 63. J. C. Howard; 64. Jas. Killingsworth; 65. J. W. Kelley; 66. R. Woodward; 67. J. T. Justice; 68. Robert Raines; 69. Silas Grantham; 70. W. C. Montgomery; 71. Thomas Nickel; 72. Francis Leeper; 73. Elias Cauble; 74. P. H. Montgomery; 75. J. T. Spears; 76. E. M. Townsell; 77. John Wallace; 78. Wm. Lin-

ville; 79. Stephen Blakey; 80. J. McBee; 81. Samuel Woodward; 82. T. G. Kelley; 83. D. C. Ooley; 84. John Rush; 85. John Clark; 86. J. T. Brame; 87. B. Lemmons; 88. J. B. McElhannan; 89. J. W. Edwards; 90. S. R. Waddell; 91. T. W. Coltrain; 92. R. Woodward; 93. George Bonham; 94. B. R. Brown; 95. W. C. Bearlley; 96. G. W. Clayfool; 97. W. H. Cook.

G. B. McClellan, 12; G. H. Pendleton, 12; C. Kribben, 12; J. H. Moss. 12; W. H. Lachland, 12; D. H. Armstrong, 12; F. A. Rozier, 12; D. C. Dade, 12; J. E. Belch, 12; E. H. Norton, 12; J. P. Grubb, 12; H. S. Lipscombe, 12; J. E. Hutton, 15; Thos. L. Price, 9; L. W. Burris, 9; James McFerran, 8; C. C. Rozier, 8; G. C. Bingham, 8; W. P. Billings, 8; A. M. Woolfolk, 8; M. J. Hubble, 7.

A. Lincoln, 85; A. Johnson, 85; S. O. Schofield, 81; C. D. Drake, 80; L. Eaton, 81; B. Smith, 81; J. C. Killian, 81; H. J. Lindenbower, 80; G. R. Smith, 81; C. Carpenter, 81; J. C. Parker, 81; W. Smith, 81; T. J. C. Fagg. 80; Thos. C. Fletcher, 76; G. Smith, 75; F. Rodman, 73; A. Thompson, 73; Wm. Bishop, 73; J. E. Smith, 74; R. F. Wingate, 70; S. H. Boyd, 21; J. R. Kelso, 58; R. L. Childress, 44; J. A. Mack, 51.

Convention, —; no convention, 7.

J. W. D. L. F. Mack, 54; J. M. Moore, 15; Captain Headler, 62; Captain Reed, 27; Captain Phillips, 32; Captain Owens, 6; C. Cannefax, 10; J. F. Hardin, 11; J. R. Cox, 14; J. Rountree, 9; W. C. Wadlaw, 31; J. A. Patterson, 52; H. Matlock, 8; Captain J. Perkins, 4; B. Kite, 18; Jos. Rountree, 3; Jas. Abbott, 16; Jas. Edwards, 51; J. Killingsworth, 6; S. R. Waddill, 30; D. M. Sewell, 19; M. W. Ackerson, 16; A. Sloan, 1; J. Rush, 3.

Names of persons voted for, and for what office, containing the number of votes given each candidate.

For President: Abraham Lincoln, 85.

For Vice President: Andrew Johnson, 85.

For presidential electors at large: S. O. Schofield, 81; C. D. Drake, 80.

For electors: Lucian Eaton, 81; Barnabas Smith, 81; James C. Killian, 81; H. J. Lindenbower, 80; George Smith, 81; Charles Carpenter, 81; J. C. Parker, 81; W. Smith, 81; J. T. C. Fagg, 80.

For President: George B. McClellan, 12.

For Vice President: George H. Pendleton, 12.

For presidential electors at large: Christian Kribben, 12; James H. Moss, 12.

For electors: Wm. H. Lackland, 12; Daniel H. Armstrong, 12; Firman A. Rozier, 12; Dabney C. Dade, 12; J. Edward Belch, 12; Elijah H. Norton, 12; Joseph P. Grubb, 12; Henry S. Lipscomb, 12; J. E. Hutton, 12.

For governor: Thomas C. Fletcher, 76; Thomas L. Price, 9.

For lieutenant governor: George Smith, 75; Luke W. Burris, 9.

For secretary of state: Francis Rodman, 73; James McFerran, 8.

For auditor of state: Alonzo Thompson, 73; Charles C. Rozier, 8.

For State treasurer: William Bishop, 73; George C. Bingham, 8.

For register of lands: J. E. Smith, 74; Walter P. Billings, 8.

For attorney general: R. F. Wingate, 70; Alexander M. Woolfolk, 8.

For Congress: S. H. Boyd, 21; J. R. Kelso, 58; P. B. Larrimore, —; Martin J. Hubble, 7.

For State senator: J. W. D. L. F. Mack, 54; James M. Moore, 15.

For representatives: Thomas A. Reed, 27; Samuel W. Headler, 62; Chesley Cannefax, 10; C. B. Owens, 6; Green B. Phillips, 32.

For sheriff: John A. Patterson, 52; J. Perkins, 4; Henry Matlock, 8.
For circuit attorney: John R. Cox, 14; James F. Hardin, 11.
For assessor: Junius M. Rountree, 9; W. C. Wadlaw, 31.
For county justice: Benjamin Kite, 18; Joseph Rountree, 3.
For county treasurer: James Abbott, 16.
For constable: James Killinsworth, 6; J. W. Edwards, 51.
For justices of peace: John Rush, 3; A. C. Sloan, 1; M. W. Achason, 16; D. M. Sewell, 17; S. R. Waddill, 30.
For delegates to State convention: John A. Mack, 51; Robert L. Childress, 44.
For State convention, —; against State convention, 7.

We hereby certify that Abraham Lincoln for President, and Andrew Johnson for Vice-President: For presidential electors, S. O. Schofield received 81 votes, C. D. Drake received 80 votes, Lucien Eaton received 81 votes, Barnabas Smith received 81 votes, James C. Killian received 81 votes, H. J. Lindenbower received 80 votes, George R. Smith received 81 votes, Charles Carpenter received 81 votes, J. C. Parker received 81 votes, W. Smith received 81 votes, J. T. C. Fagg received 80 votes. George B. McClellan for President, and George H. Pendleton for Vice-President: For presidential electors, Christian Kribben 12 votes, James H. Moss received received 12 votes, William H. Lackland received 12 votes, David H. Armstrong received 12 votes, Firman A. Rozier received 12 votes, Dabney C. Dade received 12 votes, J. Edward Belch received 12 votes, Elijah H. Norton received 12 votes, J. P. Grubb received 12 votes, H. S. Lipscomb received 12 votes, J. E. Hutton received 12 votes. T. C. Fletcher, for governor, received 76 votes, and T. L. Price, for governor, received 9 votes; George Smith, for lieutenant governor, received 75 votes, and Luke W. Burris, for lieutenant governor, received 9 votes; Francis Rodman, for secretary of state, received 73 votes, and James McFerran, for secretary of state, received 8 votes; Alonzo Thompson, for auditor of state, received 73 votes, and Charles C. Rozier, for auditor of state, received 8 votes; William Bishop, for treasurer of State, received 73 votes, and George C. Bingham, for treasurer of State, received 8 votes; J. E. Smith, for register of lands, received 73 votes, and W. P. Billings, for register of lands, received 8 votes; R. T. Wingate, for attorney general, received 71 votes, and Alexander M. Woolfolk, for attorney general, received 8 votes; S. H. Boyd, for Congress, received 21 votes, J. R. Kelso, for Congress, received 58 votes, P. B. Larrimore, for Congress, received — votes, and M. J. Hubble, for Congress, received 7 votes; J. W. D. L. F. Mack, for State senate, received 54 votes, and James M. Moore, for State senate, received 15 votes; S. A. Reed, for representative, received 27 votes, S. W. Headler, for representative, received 62 votes, Chesley Cannefax, for representative, received 10 votes, Green B. Phillips, for representative, received 32 votes, C. B. Owens, for representative, received 6 votes; John R. Cox, for State attorney, received 14 votes, and J. F. Hardin, for State attorney, received 11 votes; John A. Patterson, for sheriff, received 52 votes, Henry Matlock, for sheriff, received 8 votes, and John Perkins, for sheriff, received 4 votes; James Rountree, for assessor, received 9 votes, and W. C. Wadlaw, for assessor, received 31 votes; J. F. Brown, for coroner, received — votes; Benjamin Kite, for county justice, received 18 votes, and Joseph Rountree, for county justice, received 3 votes; James Abbott, for treasurer, received 16 votes; J. W. Edwards, for constable, received 51 votes, James Killingsworth, for constable, received 6 votes; S. R. Waddill, for justice of the peace, received 30 votes, D. M. Sewell, for justice of the peace, received 17 votes, M. W. Acherson, for justice of the peace, received 16 votes, A. C.

Sloan, for justice of the peace, received 1 vote, and John Rush, for justice of the peace, received 3 votes; John A. Mack, for State convention, received 51 votes; Robert L. Childress, for State convention, received 44 votes.

JOHN RUSH,
S. R. WADDILL,
JAMES B. McELHANAN,
Judges.

THOS. W. COLHAM,
BARRETT TENNISON,
Clerks

STATE OF MISSOURI, *County of Greene, ss:*

I, John W. Lisenby, clerk of the county court in and for the county of Greene, and State of Missouri, certify said court is a court of record, and that the document to which this certificate is attached is a correct, perfect and true copy, in every particular, of a "poll-book for election held in Boone township, Greene county, Missouri, on the 8th day of November, 1864."

I further certify that the fifty-eight (58) votes on said poll-book, given for J. R. Kelso, were cast up for him and included in the number of votes certified to the secretary of state of Missouri, as having been cast in Greene county, Missouri, for John R. Kelso, as a candidate for Congress in the fourth congressional district, at the general election held on the 8th day of November, A. D. 1864.

I further certify the twenty-one (21) votes on said poll-book for S. H. Boyd were cast up for him, and certified to the secretary of state of Missouri, with other votes he received in Greene county, at said general election, as a candidate for Congress.

In testimony whereof, I have hereto set my hand and affixed the seal of said court. Done at office, this 22d day of November, A. D. 1865.

[SEAL.]

JOHN W. LISENBY,
Clerk County Court.

STATE OF MISSOURI, *County of Greene, ss:*

I, Benjamin F. Kite, presiding justice of the county court of Greene county, Missouri, certify said court is a court of record, and that the foregoing attestation of John W. Lisenby, clerk of said court, is in due form, and is made by the proper officer.

BENJAMIN KITE,
Presiding Justice.

III.

Poll-book for election held in Centre township, Greene county, Missouri, on the 8th day of November, 1864.

Number and names of voters.

No. 1. John Grimmett.
2. D. C. Fly.
3. William Likens.
4. Battin Johnson.
5. Thomas W. Brown.
6. Raleigh Carter.
7. James T. Baylay.
8. John Riley.
9. James C. Richerson.
10. Elijah Haulcome.
11. George Carter.
12. William M. Johnson.
13. J. J. Nicholson.
14. Benjamin R. Johnson.
15. Benjamin Murrill.
16. Joseph Johnson.
17. Richard Grimmett.
18. Wm. J. West.
19. Russell Breedan.
20. Andrew Balay.
21. Wm. McDarman.
22. John P. McDarman.
23. John P. Culbertson.
24. James W. Johnson.
25. William D. Miller.
26. J. J. West.
27. Basçale Walker.
28. James H. West.
29. Charles Walker.
30. T. A. Murray.
31. Robert T. Johns.
32. The. O. Banion.
33. James Fortner.
34. Milton Haynes.
35. Josiah Mason.
No. 36. John Yeakley.
37. A. A. Lamson.
38. S. B. Whiney.
39. Henry Yeakley.
40. Jonathan P. Johnson.
41. A. A. West.
42. James Cotter.
43. Isaac R. Julian.
44. Prior L. Wallis.
45. John H. Young.
46. Arnold Hilton.
47. Henry Paulsel.
48. I. N. Jones.
49. John Blanton.
50. Ellis Johnson.
51. H. S. Mason.
52. James B. Mason.
53. Adam Murray.
54. J. M. Redfearn.
55. Jeptha Mason.
56. Robert P. Dillenger.
57. George W. Sloan.
58. Davis McKinney.
59. S. D. Phillips.
60. Caleb S. Johnson.
61. Allen Rose.
62. T. A. Mills.
63. Cales H. Likens.
64. N. H. Wilson.
65. Cyrus Starkley.
66. B. G. W. Jones.
67. John N. Bingham.
68. Lindsey Nichols.
69. J. R. Douglass.
70. James Squibb.

It is hereby certified that the number of votes at this election amounts to 70 votes.

JAMES SQUIBB,
J. R. DOUGLASS,
B. G. W. JONES,
Judges of Election.

Attest:
LINDSEY NICHOLS,
JOHN N. BINGHAM,
Clerks.

Names of persons voted for, and for what office, containing the number of votes given each candidate.

For President: Abraham Lincoln, 57.

For Vice-President: Andrew Johnson, 57.

For presidential electors at large: S. O. Schofield, 57; C. D. Drake, 57.

For electors: Lucien Eaton, 57; Barnabas Smith, 57; James C. Killian, 57; H. J. Lindenbower, 57; George R. Smith, 57; Charles Carpenter, 57; J. C. Parker, 57; W. Smith, 57; J. T. C. Fagg, 57.

For President: George B. McClellan, 13.

For Vice-President: George H. Pendleton, 13.

For presidential electors at large: Christian Kribben, 13; James H. Moss, 13.

For electors: Wm. H. Lackland, 13; David H. Armstrong, 13; Firman A. Rozier, 13; Dabney C. Dade, 13; J. Edward Belch, 13; Elijah H Norton, 13; Joseph P. Grubb, 13; Henry S. Lipscomb, 13; J. E. Hutton, 13.

For governor: Thomas C. Fletcher, 56; Thomas L. Price, 13.

For lieutenant governor: George Smith, 56; Luke W. Burris, 13.

For secretary of state: Francis Rodman, 56; James McFerran, 13.

For auditor of state: Alonzo Thompson, 56; Charles C. Rozier, 13.

For State treasurer: William Bishop, 56; George C. Bingham, 13.

For register of lands: J. E. Smith, 56; Walter P. Billings, 13.

For attorney general: R. F. Wingate, 56; Alexander M. Woolfolk, 13.

For Congress: S. H. Boyd, 12; J. R. Kelso, 44; P. B. Larimore, —; Martin J. Hubble, 13.

For State senate: J. W. D. L. F. Mack, 29; James M. Moore, 18.

For representative: Thomas A. Reed, 31; Samuel W. Headley, 48; Chesley Cannefax, 13; C. B. Owens, 13; Green B. Phillips, 25.

For sheriff: John A. Patterson, 46.

For circuit attorney: John R. Cox, 6; James F. Hardin, 15.

For assessor: Junius M. Rountree, 30.

For county justice: Benjamin Kite, 28; Joseph Rountree, 11.

For county treasurer: James Abbott, 27.

For constable: A. A. Lawson, 30.

For justices of peace: M. H. Haynie, 4; S. D. Phillip, 30; Lindsey Nichols, 29; S. A. Mills, 39; James Squibb, 41.

For delegates to State convention: John A. Mack, 38; Robert L. Childress, 37.

For State convention, 52; against State convention, 13.

We hereby certify that Abraham Lincoln for President, and Andrew Johnson for Vice-President: For presidential electors, S. O. Schofield received 57 votes, C. D. Drake received 57 votes, Lucien Eaton received 57 votes, Barnabas Smith received 57 votes, James C. Killian received 57 votes, H. J. Lindenbower received 57 votes, George R. Smith received 57 votes, Charles Carpenter received 57 votes, J. C. Parker received 57 votes, W. Smith received 57 votes, J. T. C. Fagg received 57 votes. George B. McClellan for President, and George H. Pendleton for Vice-President: For presidential electors, Christian Kribben received 13 votes, James H. Moss received 13 votes, Wm. H. Lackland received 13 votes, David H. Armstrong received 13 votes, Firman A. Rozier received 13 votes, Dabney C. Dade received 13 votes, J. Edward Belch received 13 votes, Elijah H. Norton received 13 votes, Joseph P. Grubb received 13 votes, Henry S. Lipscomb received 13 votes, J. E. Hutton received 13 votes; T. C. Fletcher, for governor, received 56 votes, and T. L. Price, for governor, received 13 votes; Geo. Smith, for lieutenant governor, received 56 votes, and Luke W. Burris, for lieutenant governor, received 13 votes; Francis

Rodman, for secretary of state, received 56 votes, and James McFerran, for secretary of state, received 13 votes; Alonzo Thompson, for auditor of state received 56 votes, and Charles A. Rozier, for auditor of state, received 13 votes; William Bishop, for treasurer of state, received 56 votes, and Geo. C. Bingham, for treasurer of state, received 13 votes; J. E. Smith, for register of lands, received 56 votes, and W. P. Billings, for register of lands, received 13 votes; R. F. Wingate, for attorney general, received 56 votes, and Alexander M. Woolfolk, for attorney general, received 13 votes; S. H. Boyd, for Congress, received 12 votes, J. R. Kelso, for Congress, received 44 votes, P. B. Larimore, for Congress, received — votes, and M. J. Hubble, for Congress, received 13 votes; J. W. D. L. F. Mack, for State senator, received 29 votes, and James M. Moore, for State senator, received 18 votes; T. A. Reed, for representative, received 31 votes, S. W. Headley, for representative, received 48 votes; Chesley Cannefax, for representative, received 13 votes, Green B. Phillips, for representative, received 25 votes, and C. B. Owens, for representative, received 13 votes; John R. Cox, for State's attorney, received 6 votes, and J. F. Hardin, for State's attorney, received 13 votes; John A. Patterson, for sheriff, received 46 votes; Junius Rountree, for assessor, received 15 votes; J. F. Brown, for coroner, received — votes; Benjamin Kite, for county justice, received 28 votes, and Joseph Rountree, for county justice, received 11 votes; James Abbott, for county treasurer, received 27 votes; A. A. Lawson, for constable, received 30 votes; James Squibb, for justice of the peace, received 41 votes, T. A. Mills, for justice of the peace, received 39 votes, Lindsey Nichols, for justice of the peace, received 29 votes, S. D. Phillips, for justice of the peace, received 30 votes, and M. Haynie, for justice of the peace, received 4 votes; John A. Mack, for State convention, received 38 votes, Robert L. Childress, for State convention, received 37 votes. For State convention, 52 votes; against State convention, 13 votes.

JAMES SQUIBB,
B. G. W. JONES,
J. R. DOUGLASS,
Judges.

LINDSEY NICHOLS,
JOHN N. BIGLOW, *Clerks.*

STATE OF MISSOURI, *County of Greene, ss:*

I, John W. Lisenby, clerk county court of Greene county, Missouri, certify said court is a court of record, and that the document to which this is attached is a correct, perfect, and true copy in every particular of a "poll-book for election held in Centre township, Greene county, Missouri, on the 8th day of November, 1864." I further certify that the forty-four votes on said poll-book given for John R. Kelso were cast up for him, and included in the number of votes certified to the secretary of state of Missouri as having been cast in Greene county, Missouri, for John R. Kelso, as a candidate for Congress at the general election on the 8th day of November, 1864. And I further certify the twelve votes on said poll-book for Boyd were cast up for him, and certified to the secretary of state with other votes he received in Greene county, at said general election, as a candidate for Congress.

SEAL.] In testimony whereof, I have hereto set my hand and affixed the seal of said court. Done at office this 21st day of November, 1865.

JOHN W. LISENBY,
Clerk of County Court.

I, Benjamin F. Kite, presiding justice county court of Greene county, Missouri, certify said court is a court of record, and that the attestation above of John W. Lisenby, clerk of said court, is in due form, and is made by the proper officer.

BENJAMIN KITE,
Presiding Justice.

IV.

Poll-book of a general election begun and held in Nvosho township, county of Newton, State of Missouri, on Tuesday the 8th day of November, A. D. 1864, *at which the following vote was polled, to wit:*

| Names of voters. | A. Lincoln, Pres't; A. Johnson, V. Pres't—for presidential electors. | | |

25. Henry Conley
26. Alpherd H. Barlow
27. A. E. Crowdus
28. John P. Jones
29. Tipton O. Wood
30. Peter F. Hutchinson
31. Marshall G. Loring
32. William R. Testermin
33. Jesse M. Beaver
34. John L. Pearey
35. William Benny
36. Jacob McClendon

Names of persons voted for, and for what office, containing the number of votes given each candidate.

For President: Abraham Lincoln, 30.

For Vice-President: Andrew Johnson, 30.

For presidential electors at large: S. O. Schofield, 30; C. D. Drake, 30.

For electors: Lucien Eaton, 30; Barnabas Smith, 30; James C. Killian, 30; H. J. Lindenbower, 30; George R. Smith, 30; Charles Carpenter, 30; J. C. Parker, 30; W. Smith, 30; J. T. C. Fagg, 30.

For President: George B. McClellan, —.

For Vice-President: George H. Pendleton, —.

For presidential electors at large: Christian Kribben, —; James H. Moss, —.

For electors: William H. Lackland, —; David H. Armstrong, —; Firman A. Rozier, —; Dabney C. Dade, —; J. Edward Belch, —; Elijah H. Norton, —; Joseph P. Grubb, —; Henry S. Lipscomb, —; J. E. Hutton, —.

For governor: Thomas C. Fletcher, 30; Thomas L. Price, —.

For lieutenant governor: George Smith, 30; Luke W. Burris, —.

For secretary of state: Francis Rodman, 30; James McFerran, —.

For auditor of state: Alonzo Thompson, 30; Charles C. Rozier, —.

For State treasurer: William Bishop, 30; George C. Bingham, —.

For register of lands: J. E. Smith, 30; Walter P. Billings, —.

For attorney general: R. F. Wingate, 30; Alexander M. Woolfolk, —.

For Congress: S. H. Boyd, —; J. R. Kelso, 30; P. B. Larimore, —; Martin J. Hubble, —.

For representative: Robert V. Keller, 35.

For sheriff: Harvey Conley, 25; John A. Melton, 8.

For circuit attorney: George W. Randolph, 22; Joseph Estes, —.

For circuit and county clerk: William J. Teed, 28; Tipton O. Wood, 6.

For delegates to State convention: Lyman Breman, 2; J. M. Grammar, 29.

For State convention, 29.

We hereby certify that Abraham Lincoln, for President, and Andrew Johnson, for Vice-President: for presidential electors, S. O. Schofield received 30 votes, C. D. Drake received 30 votes, Lucien Eaton received 30 votes, Barnabas Smith received 30 votes, James C. Killian received 30 votes, H. J. Lindenbower received 30 votes, George R. Smith received 30 votes, Charles Carpenter received 30 votes, J. C. Parker received 30 votes, W. Smith received 30 votes, J. T. C. Fagg received 30 votes. George B. McClellan, for President, and George H. Pendleton, for Vice-President: for presidential electors, Christian Kribben received — votes, James H. Moss received — votes, William H. Lackland received — votes, David H. Armstrong received — votes, Firman A. Rozier received — votes, Dabney C. Dade received — votes, J. Edward Belch received — votes, Elijah H. Norton received — votes, J. P. Grubb received — votes, H. S. Lipscomb received — votes, J. E. Hutton received — votes. T. C. Fletcher, for governor, received 30 votes, and T. L. Price, for governor, received — votes; George R. Smith, for lieutenant governor, received 30 votes, and Luke W. Burris, for lieutenant governor, received — votes; Francis Rodman, for secretary of state, received 30 votes, and James McFerran, for secretary of state, received — votes; Alonzo Thompson, for auditor of state, received 30 votes, and Charles C. Rozier, for auditor of state, received — votes; William Bishop, for treasurer of state, received 30 votes, and George C. Bingham, for treasurer of state, received — votes; J. E. Smith, for register of lands, received 30 votes, and W. P. Billings, for register of lands, received — votes; R. F. Wingate, for attorney general, received 30 votes; Alexander M. Woolfolk, for attorney general, received — votes. S. H. Boyd, for Congress, received — votes; J. R. Kelso, for Congress, received 30

votes; P. B. Larimore, for Congress, received — votes, and M. J. Hubble, for Congress, received — votes. R. V. Keller received 35 votes for representative; H. Conley received 25 votes for sheriff; J. A. Melton received 8 votes for sheriff; William J. Teed received 28 votes for circuit and county clerk; T. O. Wood received 6 votes for circuit and county clerk; G. W. Randolph received 22 votes for circuit attorney; State convention received 29 votes; J. M. Grammar received 29 votes for delegate to State convention; Lyman Beeman received 2 votes for delegate to State convention.

TIPTON O. WOOD,
JOHN P. JONES,
A. H. BARLOW,
Judges.

A. E. CROWDUS,
R. M. JONES,
Clerks.

STATE OF MISSOURI, *County of Newton:*

I, W. J. J. Morrow, clerk of the county court in and for the county of Newton, do hereby certify that the foregoing is a true copy of the poll-books of the general election held in Newton county on the 8th day of November, 1864, and which are now on file in my office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office in Neosho, the 9th day of November, 1865.

[L. S.] W. J. J. MORROW, *Clerk.*

STATE OF MISSOURI, *County of Newton, ss:*

I, W. J. J. Morrow, clerk of the county court of Newton county, Missouri, certify the document to which this certificate is attached is a correct, perfect, and true copy in every particular, of the poll-book of the election held Neosho, for the township of Neosho, on the eighth day of November, 1864, for governor, member of Congress, &c., &c. I further certify that the thirty votes on said poll-book, given for J. R. Kelso, were cast up for him and included in the number of votes certified to the secretary of state of Missouri, that John R. Kelso got in Newton county, Missouri, for Congress, at said election. I further certify that no votes appear to have been given for S. H. Boyd on said poll-book, and none were cast up for him from said poll-book. This copy on two pages.

[SEAL.] In testimony whereof, I have hereunto set my hand and affixed the seal of said court. Done at office, this 20th day of November, 1865.

W. J. J. MORROW,
Clerk County Court.

STATE OF MISSOURI, *County of Newton, ss:*

I, Tipton O. Wood, presiding justice of the county court of Newton county, Missouri, which is a court of record, certify the foregoing attestation of W. W. J. Morrow, clerk of said court is in due form, and I further certify it is by the proper officer.

TIPTON O. WOOD,
Presiding Justice.

V.—*Poll-book of a general election begun and held at the post of Neosho, Missouri, Tuesday, November 8, 1864—the qualified voters of the detachment of company M, 8th Missouri State militia.*

	Names of voters.	For President.		For Vice-President.		For presidential electors at large.		For electors.																								For governor.		For lieut. governor.		For sec'y of state.		For State auditor.		For State treasurer.		For register of lands.		For attorney general.		For Cong'ss.		
		Abraham Lincoln.		Andrew Johnson.		Geo. H. Pendleton.		S. O. Schofield.		C. D. Drake.		Christian Kribben.		James H. Moss.		Lucius Eaton.		Barnabas Smith.		James C. Killian.		H. J. Lindenbower.		Geo. R. Smith.		Charles Carpenter.		J. C. Parker.		W. Smith.		J. T. C. Fagg.		W. H. Lackland.		D. H. Armstrong.		Firman A. Rozier.		Dabney C. Dade.		J. Edward Belch.		Elisha H. Norfin.		Joseph P. Grubb.		Hen. S. Lipscomb.		J. E. Hutton.		Thos. C. Fletcher.		Thos. L. Price.		George Smith.		Luke W. Burris.		Francis Rodman.		James McPerin.		Alonzo Thompson.		Charles C. Rozier.		Wm. Bishop.		Geo. C. Bingham.		J. C. Smith.		W. P. Buildings.		R. F. Wingate.		Alex. Woolfolk.		S. H. Boyd.		John R. Kelso.		P. B. Larmore.		Martin J. Hubble.	
1	Thomas C. Crabtree	1		1		1		1		1						1		1		1		1		1		1		1		1		1																1																												Newton county, Mo.
2	Elisha Walker	1		1		1		1		1						1		1		1		1		1		1		1		1		1																1																												Dallas county, Mo.
3	Leunel Estes	1		1		1		1		1						1		1		1		1		1		1		1		1		1																1																												Barry county, Mo.
4	John Crawford	1		1		1		1		1						1		1		1		1		1		1		1		1		1																1																												Dallas county, Mo.
5	James Short	1		1		1		1		1						1		1		1		1		1		1		1		1		1																1																												Lawrence county, Mo.
6	Franklin Haddoe	1		1		1		1		1						1		1		1		1		1		1		1		1		1																1																												Greene county, Mo.
7	Elias Chapman	1		1		1		1		1						1		1		1		1		1		1		1		1		1																1																												Dallas county, Mo.
8	Mark B. Evans	1		1		1		1		1						1		1		1		1		1		1		1		1		1																1																												Dallas county, Mo.
9	Benjamin Kerr	1		1		1		1		1						1		1		1		1		1		1		1		1		1																1																												Stone county, Mo.
10	Edley Woolf	1		1		1		1		1						1		1		1		1		1		1		1		1		1																1																												Christian county, Mo.
11	John Doss																		

STATE OF MISSOURI, *County of Newton, ss:*

I, W. J. J. Morrow, clerk of the county court of Newton county, Missouri, certify said court is a court of record and that the document to which this certificate is attached is a correct, perfect, and true copy in every particular of the poll-book of a "detachment of company M, 8th Missouri State militia," "at the post of Neosho, Missouri," at the general election on the eighth day of November, 1864, for governor, member of Congress, &c., &c.; I further certify that the nineteen votes on said poll-book given for John R. Kelso were cast up for him, and were included in the number of votes certified to the secretary of the State of Missouri that John R. Kelso got in Newton county, Missouri, for Congress at said election. I further certify that the one vote on said poll-book given for S. H. Boyd was cast up for him and included in the number of votes certified to the secretary of the State of Missouri that S. H. Boyd got for Congress at said election. This poll-book is all on one leaf.

In testimony whereof, I have hereto set my hand and affixed the seal of said court. Done at office at Neosho, Missouri, this 24th day of Novem-
[SEAL] ber, A. D. 1865.

W. J. J. MORROW, *Clerk.*

I, Tipton O. Wood, presiding justice of the county court of Newton county, Missouri, certify said court is a court of record, and that the attestation of W. J. J. Morrow, clerk of said court, is genuine, in due form; and I further certify it is made by the proper officer. November 25th, 1865.

TIPTON O. WOOD, *Presiding Justice.*

VI.

List of voters.

1. Caleb Holloway.
2. William M. Surter.
3. Erby Hutson.
4. James Fair.
5. Jesse Cherry.
6. William R. Robertson.
7. Alexander Adams.
8. J. B. Jackson.
9. Julius Glade.
10. James Crabtree.
11. Green Darnel.
12. Jno. Jamison.
13. William C. Roark.
14. Daniel Umphrey.
15. J. H. Thermon.
16. Asbury English.
17. H. H. Merit.
18. Abner Taturn.
19. P. R. Davis.
20. L. D. Hooker.
21. James Nicholas.
22. R. W. Brewer.
23. William Eldridge.
24. Nathan Jarvis.
25. Anderson Prior.
26. Braton B. Taylor.
27. William H. Rook.
28. James K. Hathoway.
29. Nathaniel Cooper.
30. Andrew L. Hook.
31. Oscar Weir.
32. Moses Lewis.
33. William Evans.
34. Thomas C. Duncan.
35. Jno. D. McCarty.
36. L. C. Pharis.
37. Milton Simmons.
38. Jno. J. Tabor.
39. James Griffin.
40. William A. Warren.
41. Lewis A. Sawyers.
42. Stephen Elsic.
43. William Golden.
44. Thomas Morney.

45. Samuel Willians.
46. D. S. Tatum.
47. Washington L. Costly.
48. W. H. H. Gilbert.
49. William Dunbar.
50. James Fin.
51. Henry H. Low.
52. J. M. Ritchey.
53. S. A. Hopkins.
54. Daniel Majors.
55. Calvin Shelly.
56. Abner Jones.
57. A. W. Wormington.
58. Samuel Dent.
59. Jonathan Parsons.
60. Jacob S. Parr.
61. Thomas Roberts.
62. Augustine Friend.
63. B. L. Shepherd.
64. George H. Sebar.
65. Jno. Bullock.
66. Jesse Roe.
67. William Anderson.
68. Robert M. Hog.
69. P. G. Ash.
70. Jno. S. Russel.
71. David M. Findle.
72. Jno. Rowden.
73. Charles Overman.
74. Jno. H. Hightower.
75. Larkin Cardwell.
76. James P. Slokum.
77. William C. Ayres.
78. S. M. Hillaird.
79. David Ramsey.
80. G. W. Martin.
81. G. W. Hawkins.
82. Seburn Samples.
83. R. E. Neely.
84. B. F. Ross.
85. Jno. H. Worson.
86. Nathan Williams.
87. Albert H. Jarnagan.
88. Henry Coutney.
89. William A. Vance.
90. Jno. Leak.
91. Elias Braden.
92. Malechi W. Sweeny.
93. Eli Rubert.
94. Samuel Hanley.
95. Plunimer Dennev.
96. George Smith.
97. Peter Moran.
98. Joseph H. Howard.
99. Jeremiah Debolt.
100. Jno A. Gilden.
101. Thomas Gilbert.
102. Jno. White.
103. Jno. Craft.
104. Jno. Culp.
105. Thomas C. Pope.
106. J. M. West.
107. F. C. Brewster.
108. Jno. Philips.
109. Thomas Hagans.
110. Charles Lember.
111. Allen Hunt.
112. Samuel Robertson.
113. Henry Bishop.
114. James S. Baldwin.
115. Martin Gerken.
116. David J. Clerruger.
117. Harmon Myer.
118. Jesse Quick.
119. James Christian.
120. Bernard Renert.
121. Henry Buncos.
122. G. W. Gibson,
123. J. D. Fulerton.
124. Robert W. Gibbons.
125. Jno. F. Sullivan.
126. Walter Bound.
127. John M. Hicks.
128. Royal P. Haven.
129. George C. Foster.
130. Charles H. Miller.
131. Samuel P. Butler.
132. Peter E. Rider.
133. Jno. McCardell.
134. Jno. Kuith.
135. Jno. McDonald.
136. S. P. Sutton.
137. William Welshons.
138. J. L. Craft.
139. Lewis M. Watson.
140. Augustus Grauneman.
141. Daniel Keely.
142. James Wheeler.
143. Miles Jain.
144. W. J. Barnes.
145. Jno. S. Graham.
146. Thomas J. Pury.
147. J. R. Pearson.
148. Alfred Haggard.
149. W. C. Walch.
150. Thomas Roe.
151. Frederick O. Clark.
152. E. F. Ellis.
153. Andrew Lemmons.

Abraham Lincoln, 149; Andrew Johnson, 149; George B. McClellan, —; Geo. H. Pendleton, —; Thomas C. Fletcher, 122; Thomas L. Price, —; Geo. Smith, 122; Luke W. Burriss, —; Francis Rodman, 107; James McPerrin, —; Alonzo Thompson, 107; Charles G. Rozier, —; William Bishop, 107; Geo. C. Bingham, —; J. E. Smith. 107; Walter P. Billings, —; R. F. Wingato, 107; Alex. M. Woolfork, —; S. H. Boyd, 1; J. R. Kelso, 86; P. B. Latimore, —; Martin J. Hubbell, —; Robert A. Keller, 59; Harvey Conlay, 10; L. B. Hutchinson, 44; Jno. A. Milton, —; Geo. W. Randolph, 62; Jos. Estes, —; Wm. J. Reed, 22; Lyman Beamon, 17; P. O. Woods, 33; —— Gilbert, 2.

Names of persons voted for, and for what office, containing the number of votes given each candidate.

For President: Abraham Lincoln, 149.

For Vice-President: Andrew Johnson, 149.

For Presidential electors at large: S. A. Schofield, 149; C. D. Drake, 149.

For electors: Lucien Eaton, 149; Barnabus Smith, 149; James C. Killian, 149; H. J. Lindenbower, 149; George B. Smith, 149; Charles Carpenter, 149; J. C. Parker, 149; W. Smith, 149; J. T. C. Fagg, 149.

For President: George B. McClellan, 1.

For Vice-President: George H. Pendleton, 1.

For Presidential electors at large: Christian Kribbin, 1; James H. Moss, 1.

For electors: Wm. H. Lackland, 1; David H. Armstrong, 1; Firman A. Rozier, 1; Dabney C. Dade. 1; J. Edward Belch, 1; Elijah H. Norton, 1; Joseph P. Grubb, 1; Menry S. Lipscomb, 1; J. E. Hutton, 1.

For governor: Thomas L. Price, —; Thomas C. Fletcher, 122.

For lieutenant governor: Luke W. Burris, —; George Smith, 122.

For secretary of state: James McFerran, —; Francis Rodman, 107.

For auditor of state: Charles C. Rozier, —; Alonzo Thompson, 107.

For state treasurer: George C. Bingham, —; William Bishop, 107.

For register of lands: Walter P. Billings, —; J. E. Smith, 107.

For attorney general: Alexander M. Woolfolk, —; R. F. Wingate, 107.

For Congress: Martin J. Hubble, —; P. B. Larimore, —; J. R. Kelso, 86; S. H. Boyd, 1.

For representatives: Robert V. Keller received 59.

For sheriff: L. B. Hutchison received 44; Harvey Conley received 10.

For circuit attorney: Joseph Estes received —; George W. Randolph received 62

For circuit and county clerk: F. A. Woods received 33; William J. Teed received 22.

For delegate to State Convention: —— Gilbert received 2; L. Beman received 17.

We hereby certify that Abraham Lincoln for President, and Andrew Johnson for Vice-President: Por presidential electors, S. O. Schofield received 149 votes; C. D. Drake received 149 votes; Lucien Eaton received 149 votes; Barnabas Smith received 149 votes; James C. Killian received 149 votes; J. H. Lindenbower received 149 votes; George R. Smith received 149 votes; Charles Carpenter received 149 votes; J. C. Parker received 149 votes; W. Smith received 149 votes; J. P. C. Fagg received 149 votes. George B. McClellan for President, and George H. Pendleton for President: For presidential electors, Christian Kribben received 1 vote; James H. Moss received 1 vote; Wm. H. Lackland received 1 vote; David H. Armstrong received 1 vote; Firman A. Rozier received 1 vote; Dabney C. Dade received one vote; J. Edward Belch received one vote; Elijah H. Norton received one vote; J. P. Grubb received one vote; H. S. Lipscombe received 1 vote; J. E. Hutton

received one vote. T. C. Fletcher, for governor, received 122 votes, and T. L. Price, for governor, received — votes. George Smith, for lieutenant governor, received 122 votes, and Luke W. Burris, for lieutenant governor, received — votes. Francis Rodman, for secretary of state, received 107 votes, and James McFerran, for secretary of State, received — votes. Alonzo Thompson, for auditor of state, received 107 votes, and Charles C. Rozier, for auditor of state, received — votes. Wm. Bishop, for treasurer of state, received 107 votes, and Geo. C. Bingham, for treasurer of state, received — votes. J. E. Smith, for register of lands, received 107 votes, and W. P. Billings, for register of lands, received — votes. R. F. Wingate, for attorney general, received 107 votes, and Alex. M. Woolfolk, for attorney general, received — votes. S. H. Boyd, for Congress, received 1 vote; J. R. Kelso, for Congress, received 86 votes; P. B. Larimore, for Congress, received — votes; and M. J. Hubble, for Congress, received — votes. For representative, R. V. Keller received 56 votes. For sheriff, Harry Conley received 10 votes; L. B. Hutchison, for sheriff, received 44 votes. G. W. Randolph, for circuit attorney, received 62 votes. W. J. Teed, for circuit and county clerk, received 22 votes; T. O. Woods received 33 votes. Delegate to State convention, Liman Beeman received 17 votes; —— Gilbert received 2 votes.

JAMES R. PEARSON,
WILLIAM C. WALSH,
A. HAGGARD,
Judges.

BENJAMIN F. ELLIS,
ANDREW SIMMONS,
Clerks.

STATE OF MISSOURI, *County of Newton, ss:*

I, W. J. J. Morrow, clerk of the county court of Newton county, Missouri, certify said court is a court of record, and the document to which this certificate is attached is a perfect and true copy in every particular of a poll-book on file in my office; and that in casting up the vote of said county at the general election, on the 8th day of November, 1864, for governor, members of Congress, &c., my predecessor in office cast up the eighty-six votes on said poll-book given for J. R. Kelso, and that these eighty-six votes were included in the number of votes certified to the secretary of state of the State of Missouri that John R. Kelso received in Newton county, Missouri, for Congress, at said general election on the 8th day of November, 1864. I further certify that the one vote on said poll-book given for S. H. Boyd was cast for him and included in the number of votes certified to the secretary of state, which said Boyd received for Congress in Newton county at said general election.

[This copy is contained in four leaves.]

In witness whereof, I have hereto set my hand and affixed the seal of said court, at office, in Neosho, this 20th day of November, 1865.

[SEAL.] W. J. J. MORROW, *Clerk.*

I, Tipton O. Wood, presiding justice of the county court of Newton county State of Missouri, certify said court is a court of record, and that the attestation of W. J. J. Morrow, clerk of said court, is genuine, in due form; and I further certify it is made by the proper officer.

Given under my hand this 20th day of November, 1865.

TIPTON O. WOOD,
Presiding Justice

VII.

Muster-in roll of Captain Stephen H. Julian's "I" company, in second regiment (— brigade) of artillery, Missouri volunteers, commanded by Colonel Nelson Cole, called into the service of the United States by the President, from the ——— day of———, 186—, (date of this muster,) for the term of three years, unless sooner discharged.

No. of each grade.	Names, present and absent. (Privates in alphabetical order.)	Rank.	Age.	Joined for duty and enrolled.		Remarks.
				When.	Where.	
1	Julian, Stephen H.	Captain	41	Dec. 28, 1863		Mustered into service January 10, 1864.
1	Davies, Noble F	1st Lieut		Dec. 28, 1863		Mustered into service January 10, 1864.
2	Philips, Lazarus	do		Feb. 20, 1864		Mustered into service March 14, 1864.
1	Williams, William J.	2d Lieut		Feb. 20, 1864		
2	Orr, George A.	do		Feb. 20, 1864		
1	Nicholson, Robert D. A.	Sergeant,	19	Nov. 28, 1863	Springfield, Mo.	
2	Ward, William H.	do	21	Dec. 7, 1863	do	
3	Cooper, John D.	do	22	Dec. 13, 1863	do	
4	Hillhouse, John R.	do	36	Dec. 23, 1863	do	
5	Claypool, George	do	25	Dec. 18, 1863	do	
6	Grantham, Trighman W.	do	19	Dec. 15, 1863	do	
7	Hillhouse, James H.	do	24	Dec. 23, 1863	do	
8	Handy, Joseph	do	19	Dec. 9, 1863	do	
1	Julian, Flavius C.	Corporal,	19	Nov. 26, 1863	do	
2	Waddil, Christopher	do	22	Dec. 12, 1863	do	
3	Hillhouse, Levy	do	20	Dec. 23, 1863	do	
4	McNatt, Allen K.	do	18	Dec. 30, 1863	do	
5	Renshaw, Albert B.	do	19	Dec. 28, 1863	do	
6	Brower, Samuel O.	do	18	Dec. 9, 1863	do	
7	Noblitt, William	do	18	Dec. 7, 1863	do	
8	Moose, George C.	do		Jan. 21, 1864	do	
1	Adair, James H.	Private	21	Nov. 24, 1863	do	
2	Adair, Tillman L.	do	19	Nov. 25, 1863	do	
3	Barker, Eli H. C.	do	18	Nov. 22, 1863	do	
4	Briggs, Seton	do	18	Nov. 27, 1863	do	
5	Buttoom, Joel	do	20	Nov. 29, 1863	do	
6	Cox, Orion	do	19	Nov. 28, 1863	do	
7	Edmonson, Alonzo P.	do	18	Nov. 25, 1863	do	
8	Fugna, Cyrus G.	do	20	Nov. 26, 1863	do	
9	Ganthram, Josiah H.	do	18	Nov. 29, 1863	do	
10	Ingram, Harvey	do	18	Nov. 24, 1863	do	
11	Matherly, James H.	do	20	Nov. 28, 1863	do	
12	Mullinay, Alfred C.	do	18	Nov. 22, 1863	do	
13	Pittman, Edward	do	26	Nov. 29, 1863	do	
14	Selby, William H.	do	25	Nov. 29, 1863	do	
15	Stiff, David H.	do	18	Nov. 29, 1863	do	
16	Adair, Thomas	do	18	Dec. 8, 1863	do	
17	Armstrong, William	do	29	Dec. 13, 1863	do	
18	Biggs, Taylor	do	18	Dec. 9, 1863	do	
19	Burchell, Bluford L.	do	21	Dec. 8, 1863	do	Deserted at Springfield, Mo., February 1, 1864.
20	Carter, Lorenzo O.	do	27	Dec. 13, 1863	do	
21	Clark, Walter T.	do	25	Dec. 16, 1863	do	
22	Collins, Wright	do	21	Dec. 24, 1863	do	
23	Davies, Joseph W.	do	22	Dec. 13, 1863	do	
24	East, David A.	do	31	Dec. 22, 1863	do	Deserted at Springfield, Mo., February 1, 1864.
25	Edward, Samuel	do	18	Dec. 10, 1863	do	
26	Eastes, George W.	do	32	Dec. 4, 1863	do	Died at New Madrid, Mo. March 19, 1864.
27	Fugna, William	do	22	Dec. 4, 1863	do	
28	Gosuch, William	do	44	Dec. 11, 1863	do	
29	Hankins, William	do	20	Dec. 23, 1863	do	
30	Harpool, John	do	26	Dec. 15, 1863	do	
31	Hernefew, Joseph	do	18	Dec. 22, 1863	do	
32	Howard, Henry F.	do	20	Dec. 1, 1893	do	
33	Hutchins, John	do	18	Dec. 18, 1863	do	
34	Jones, Pinkston	do	18	Dec. 18, 1863	do	
35	Julian, William C.	do	20	Dec. 2, 1863	do	
36	Julian, John F.	do	18	Dec. 18, 1863	do	
37	Jump, Thomas B.	do	22	Nov. 30, 1863	do	
38	Matherly, William	do	18	Dec. 18, 1863	do	

VII.—*Muster-in roll*—Continued.

No. of each grade.	Names, present and absent. (Privates in alphabetical order.)	Rank.	Age.	Joined for duty and enrolled.		Remarks.
				When.	Where.	
39	McKroskey, William C.	Private..	19	Dec. 2, 1863	Springfield, Mo..	
40	McCroskey, William M.	....do....	19	Dec. 2, 1863	.....do.....	
41	O'Neil, Jasper	....do....	28	Dec. 22, 1863	.....do.....	
42	Patterson, Allen R.....	....do....	18	Dec. 2, 1863	.....do.....	
43	Perriman, John	....do....	18	Dec. 8, 1863	.....do.....	
44	Proctor, James A.....	....do....	22	Dec. 10, 1863	.....do.....	
45	Robertson, Thomas P..	....do....	20	Dec. 9, 1863	.....do.....	
46	Sellars, James I.....	....do....	22	Dec. 10, 1863	.....do.....	
47	Sewell, Elias B.....	....do....	21	Dec. 19, 1863	.....do.....	
48	Simmons, Benjamin F..	....do....	21	Dec. 8, 1863	.....do.....	
49	Simmons, William J....	....do....	18	Dec. 7, 1863	.....do.....	
50	Simes, Henry.....	....do....	18	Dec. 13, 1863	.....do.....	
51	Small, Mathew	....do....	19	Dec. 5, 1863	.....do.....	
52	Tattan, John B.....	....do....	44	Dec. 10, 1863	.....do.....	
53	Tattan, William	....do....	20	Dec. 13, 1863	.....do.....	
54	Waddill, Christopher...	....do....	22	Dec. 12, 1863	.....do.....	
55	Whittenburg, Francis A	....do....	18	Dec. 8, 1863	.....do.....	
56	Grigsby, Joseph	....do....	18	Dec. 26, 1863	.....do.....	
57	Vance, John W.....	....do....	19	Dec. 26, 1863	.....do.....	
58	Chesser, Absalom.....	....do....	18	Dec. 22, 1863	.....do.....	
59	Dewitt, Isaac.....	....do....	38	Dec. 14, 1863	.....do.....	
60	Battram, Jacob L.....	....do....	22	Dec. 22, 1863	.....do.....	
61	Battram, Martin W.....	....do....	18	Dec. 28, 1863	.....do.....	
62	Rock, James H.....	....do....	18	Dec. 25, 1863	.....do.....	
63	Ball, Zachariah.....	....do....	16	Jan. 1, 1864	.....do.....	
64	Adams, William J.....	....do....	18	Jan. 4, 1864	.....do.....	
65	Austin, Moses	....do....	27	Jan. 16, 1864	.....do.....	
66	Boatwright, Thomas...	....do....	26	Jan. 8, 1864	.....do.....	
67	Browning, Joseph B....	....do....	20	Jan. 2, 1864	.....do.....	
68	Ball, Newton.....	....do....	22	Jan. 18, 1864	.....do.....	
69	Burchell, Joseph.....	....do....	18	Nov. 29, 1863	.....do.....	
70	Booker, Riley	....do....	21	Jan. 5, 1864	.....do.....	
71	Carter, Jacob B.....	....do....	25	Jan. 4, 1864	.....do.....	
72	Carpenter, Robert	....do....	18	Jan. 16, 1864	.....do.....	
73	Carpenter, Solomon.....	....do....	19	Jan. 16, 1864	.....do.....	
74	Carpenter, Simon.....	....do....	23	Jan. 16, 1864	.....do.....	
75	Calfee, John.....	....do....	26	Jan. 1, 1864	.....do.....	
76	Cook, William R.....	....do....	18	Dec. 29, 1863	.....do.....	
77	Davis, Samuel C.....	....do....	18	Jan. 11, 1864	.....do.....	
78	Davis, James F.....	....do....	18	Jan. 12, 1864	.....do.....	
79	Edward, Abram F.....	....do....	27	Jan. 15, 1864	.....do.....	
80	Fegley, William.....	....do....	18	Jan. 19, 1864	.....do.....	
81	Griffith, James	....do....	18	Nov. 30, 1863	.....do.....	
82	Ginther, Samuel.....	....do....	22	Jan. 4, 1864	.....do.....	
83	Grigsby, James.....	....do....	18	Nov. 13, 1863	.....do.....	
84	Hardee, Milton R.....	....do....	18	Dec. 25, 1863	.....do.....	
85	Hargrcve, James F....	....do....	18	Jan. 4, 1864	.....do.....	
86	Henderson, Constantin.	....do....	18	Nov. 30, 1863	.....do.....	
87	Henderson, Franklin C.	....do....	19	Jan. 5, 1864	.....do.....	
88	Hillhouse, George A....	....do....	19	Dec. 30, 1863	.....do.....	
89	Howard, Francis	....do....	20	Dec. 30, 1863	.....do.....	
90	Hutchins, I. I. R	....do....	18	Dec. 29, 1863	.....do.....	
91	Ingram, Isaac P	....do....	18	Jan. 19, 1864	.....do.....	
92	Inman, William C.....	....do....	18	Dec. 29, 1863	.....do.....	
93	Johnson, William.....	....do....	18	Dec. 29, 1863	.....do.....	
94	Jones, George W	....do....	18	Jan. 1, 1864	.....do.....	
95	Kelly, Milton G.....	....do....	19	Dec. 30, 1863	.....do.....	
96	Kelly, Elbert R.....	....do....	18	Dec. 30, 1863	.....do.....	
97	Lasiter, Peter I.....	....do....	18	Jan. 12, 1864	.....do.....	
98	Lee, William H.....	....do....	18	Jan. 20, 1864	.....do.....	
99	Mallicoat, Andrew I....	....do....	35	Dec. 30, 1863	.....do.....	
100	McNatt, Alexander C...	....do....	19	Dec. 30, 1863	.....do.....	
101	McNatt, John I.....	....do....	18	Jan. 4, 1864	.....do.....	
102	Norman, Wm. P.....	....do....	18	Jan. 5, 1864	.....do.....	
103	Perriman, John A.....	....do....	18	Jan. 4, 1864	.....do.....	
104	Robertson, William W..	....do....	18	Dec. 20, 1863	.....do.....	
105	Scroggs, Joseph H.....	....do....	20	Dec. 30, 1863	.....do.....	
106	Springer, William M...	....do....	21	Dec. 30, 1863	.....do.....	
107	Spann, Bailey B	....do....	18	Jan. 11, 1864	.....do.....	
108	Strawn, George F.....	....do....	18	Jan. 4, 1864	.....do.....	
109	Shipman, Reuben.....	....do....	18	Jan. 20, 1864	.....do.....	
110	Tanner, David D.....	....do....	18	Jan. 21, 1864	.....do.....	
111	Totten, Recey F.....	....do....	18	Jan. 20, 1864	.....do.....	
112	Winn, John C.....	....do....	18	Jan. 13, 1864	.....do.....	

VII.—*Muster-in roll*—Continued.

No. of each grade.	Names, present and absent. (Privates in alphabetical order.)	Rank.	Age.	Joined for duty and enrolled.		Remarks.
				When.	Where.	
113	Williams, Robert W	Private	18	Jan. 25, 1864	Springfield, Mo.	
114	Worthan, William	do	18	Jan. 4, 1864	do	
115	Williams, William I	do	30	Jan. 4, 1864	do	
116	Bradlon, George W	do	27	Jan. 4, 1864	do	
117	Erby, James K	do	18	Jan. 20, 1864	do	Deserted from New Madrid, Mo., March 2, 1864.
118	Binney, Abel	do	19	Jan. 27, 1864	do	
119	Childers, Thomas V	do	18	Jan. 22, 1864	do	
120	French, Joseph	do	25	Jan. 29, 1864	do	
121	Hagewood, Marion L	do	18	Jan. 28, 1864	do	
122	McNatt, James A	do	18	Jan. 29, 1864	do	
123	Perriman, Chester L	do	18	Feb. 17, 1864	St. Louis, Mo.	
124	Philipps, William	do	18	Jan. 28, 1864	Springfield, Mo.	
125	Rich, John	do	18	Jan. 26, 1864	do	
126	Stewart, George	do	24	Jan. 29, 1864	do	
127	Wheat, Abram	do	18	Jan. 28, 1864	do	
128	Rose, William	do	18	Jan. 17, 1864	do	
129	Kelley, George W	do	18	Jan. 28, 1864	do	
130	Chastain, W. H	do	18	Mar. 5, 1864	do	
131	Gregori, Levi V	do	21	Feb. 23, 1864	do	
132	Mathews, James H. H	do	22	Feb. 29, 1864	do	
133	Walker, Hansford	do	18	Feb. 26, 1864	do	
134	Gravis, George W	do	18	Feb. 16, 1864	do	

HEADQUARTERS SECOND MISSOURI ARTILLERY,
St. Louis, Mo., April 1, 1864.

I certify that this is a correct copy of the original muster-in roll of a detachment of recruits assigned to the 2d Missouri artillery as company I, same regiment.

V. COLE,
Colonel 2d Missouri Artillery, Comd'g Reg't.

HEADQUARTERS STATE OF MISSOURI,
Adjutant General's Office, Jefferson City, Mo., March 19, 1866.

I certify that this is a true copy of the original roll of company I 2d Missouri light artillery on file in this office.

SAMUEL P. SIMPSON,
Adjutant General of Missouri.

I certify, on honor, that this muster-roll exhibits the true state of Captain ——— company of the ———, for the period herein mentioned; that each man answers to his own proper name in person, and that the remarks set opposite the name of each officer and soldier are accurate and just.

———— ————,
Commanding the Company.

Date: ————.
Station: ————.

We certify, on oath, that the figures opposite the names on this roll, for valuation of horses and horse equipments, represent and show the true cash value of the horses and equipments of the men, respectively, at the place of enrolment, according to our honest, impartial judgment.

———— ————,
———— ————,
Appraisers.

Sworn to and subscribed before

———— ————,
Mustering Officer.

Date: ————.
Station: ————.

I certify, on honor, that I have carefully examined the men whose names are borne on this roll, their horses, and equipments, and have accepted them into the service of the United States for the term of ————, from this —— day of ——, 186 .

———— ————,
Mustering Officer.

Date: April 1, 1864.
Station: St. Louis, Mo.

VIII.

STATE OF MISSOURI, *County of Laclede, ss:*

Poll-book of an election of company G, of 6th provisional regiment enrolled Missouri militia, held at company headquarters, Lebanon, Missouri, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the 4th district, a governor, a lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general for the State of Missouri; State senator, State representatives in the legislature, for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for Laclede county; Harrison Smalley, James Mussey and William Alexander being judges, and Rufus A. Lawrence, sergeant, William Burnes, sergeant, being clerks of said election, who were severally sworn as the law directs, previous to their entering on the duties of their respective offices, and who took the prescribed oath of allegiance.

NOTE.—Three good, discreet, and disinterested persons, members of a company in which there are any qualified voters of Missouri, shall be appointed judges of the election by the commanding officer of the company, who shall administer the following oath to such judges before they enter upon their duties. The blanks in the following affidavit should be properly filled up, to wit: the State and county, the names of the three judges, and the affidavit should be signed by the judges in their own handwriting, and the name of the company commander put to the certificate, all in the places indicated:

STATE OF MISSOURI, *County of Laclede, ss:*

We, Harrison Smalley, James Mussey, William A. Alexander, do swear that we will impartially discharge the duty of judges of the present election according to law and the best of our abilities, and will not record nor permit to be recorded the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10th, A. D. 1862, defining the qualifications of voters and civil officers in Missouri.

JAMES MUSSEY.
WM. A. ALEXANDER,
HARRISON SMALLEY.

Sworn to and subscribed before me, on the 8th day of November, 1864.

SAMUEL TURNER,
Captain, Company Commanding Officer.

NOTE.—The three judges appointed as above directed shall appoint two clerks; before entering on the duties of their appointment, shall take the following oath, to be administered by one of the persons so appointed as judges of the election, filling up in the blanks the name of the State, county, names of the clerks, and must be signed by both clerks and the judge who administers the oath:

COUNTY OF LACLEDE, *ss:*

We, A. R. Lawrence and William Burns, do swear that we will faithfully record the names of all the votes at the present election, and distinctly carry out in lines and columns the name of the person for whom each voter votes, and will not record nor permit to be recorded the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10th, A. D. 1862, defining the qualifications of voters.

ADLAR RUFUS LAWRENCE.
WM. BURNS.

Sworn to and subscribed before me, the 8th day of November, 1864.

WM. A. ALEXANDER,
One of the Judges of Election.

No.	Voters' names.	Residence.	Congressional.	
			John R. Kelso.	S. H. Boyd.
1	Noah Atchley	Laclede	1	
2	William H. Smith	Dallas	1	
3	Jacob C. Moorlock	Laclede	1	
4	Blaumrel B. Scuraborse	Wright		1
5	Hugh P. Coun	Laclede	1	
6	James M. Lovett	do	1	
7	John N. Massey	do		1
8	Oliver Massey	do		
9	Milton D. Stith	do	1	
10	Henry McWilliams	Wright		1
11	Josiah Daniels	Laclede	1	
12	Ruben Daniels	do	1	
13	Jeremiah Massey	do	1	
14	Robert Massey	Wright	1	
15	Thomas Younger	Hickory	1	
16	Andrew J. Daniels	Laclede	1	
17	Rufus Cash	Wright	1	
18	Asa S. Coleman	Laclede	1	
19	Samuel Turner	do	1	
20	Joseph McKee	Dallas	1	
21	James McClanahan	Wright		1
22	Wm. Bradshaw	do	1	
23	Sanford Turner	Laclede	1	
24	N. S. Tennison	do	1	
25	W. W. Carter	Camden	1	
26	Samuel Robinson	Laclede	1	
27	J. C. Shields	do	1	
28	Wm. Davis	do	1	
29	David Marley	do	1	
30	James Hawk	Dallas	1	
31	A. W. Weaver	Laclede		1
32	David Butches	Wright	1	
33	Henry Woodey	do	1	
34	P. W. Calhoun	do	1	
35	Wm. Duggels	Dallas	1	
36	Jeremiah Whitson	Laclede		1
37	Carol Johnson	do		1
38	Wm. Burns	do	1	
39	Wm. C. Sanders	do	1	
40	Wm. R. Adamson	Wright	1	
41	Harrison Smalley	Laclede		
42	Jefferson Massey	do		1
43	Wm. A. Alexander	do	1	
44	James Massey	do		
45	N. R. Lawrence	do	1	
46	A. A. Hogul	do	1	
47	Wm. C. Mengs	do		1

We, the judges and clerks of the above election, certify that the foregoing is correct.

JAMES MASSEY,
WM. A. ALEXANDER,
HARRISON SMALLEY, } *Judges.*

A. R. LAWRENCE,
WM. BURNS, } *Clerks.*

STATE OF MISSOURI, *County of Laclede, ss:*

Abstract of votes given at an election held at Labanon, Missouri, headquarters company G, 6th provisional regiment enrolled Missouri militia, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for

the 4th district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general of the State of Missouri, State senator, State representatives in the legislature, for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for Laclede county.

Names of persons voted for, and for what office, and the number of votes given each candidate.

For Congress, fourth district, John R. Kelso had 34 votes.

For Congress, fourth district, Hon. S. H. Boyd had 9 votes.

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election.

Witness our hands this eighth day of November, 1864.

JAMES MASSEY,
WM. A. ALEXANDER,
HARRISON SMALLEY,
Judges.

Attest: A. R. LAWRENCE,
WM. BURNS,
Clerks.

STATE OF MISSOURI, *County of Laclede, ss:*

I, John L. Herndon, clerk of the county court, within and for the county and State aforesaid, do hereby certify that the foregoing is truly copied from the original now on file in my office, so far as it regards the congressional election in said country for a representative in Congress.

In witness whereof, I have hereunto set my hand and affixed the seal of said court at office, this 24th day of October, A. D. 1865.

[SEAL.]

JOHN L. HERNDON, *Clerk.*

IX.

STATE OF MISSOURI, *County of Laclede, ss:*

Poll-book of an election of company A, of 73d regiment of Missouri enrolled militia, held at headquarters of said company, Lebanon, Missouri, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general for the State of Missouri, State senator, State representatives in the legislature, for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for Laclede county; William Smallhurst, William McFall, and Ephraim W. Davis being judges, and J. P. Ruce and Lisander Jennings being clerks of said election, who were severally sworn, as the law directs, previous to their entering on the duties of their repective offices.

NOTE.—Three good, discreet, and disinterested persons, members of a company in which there are any qualified voters of Missouri, shall be appointed judges of the election by the commanding officer of the company, who shall administer the following oath to such judges before they enter upon their duties; the blanks in the following affidavit should be properly filled up, to wit: the State and county, the names of the three judges, and the affidavit should be signed by the judges in their own handwriting, and the name of the company commander put to the certificate, all in the places indicated:

STATE OF MISSOURI, *County of Laclede, ss:*

We, William Schmalhorst, William McFall, and Ephraim W. Davis, do swear that we will impartially discharge the duty of judges of the present election according to law and the best of our abilities, and will not record nor permit to be recorded the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters and civil officers in Missouri.

WILLIAM SCHAMLHORST.
WILLIAM McFALL.
E. W. DAVIS.

Sworn to and subscribed before me, the 8th day of November, 1864.

WILLIAM D. FARRIS,
1st Lieut., Company Commanding Officer.

NOTE.—The three judges appointed as above directed shall appoint two clerks, who before entering on the duties of their appointment shall take the following oath, to be administered by one of the persons so appointed as judges of the election, filling up in the blanks the name of State, county, names of clerks, and be signed by both clerks and the judge who administers the oath:

COUNTY OF LACLEDE, *ss:*

We, John P. Ruce and Lysander Jennings, do swear that we will faithfully record the names of all the voters at the present election, and distinctly carry out in lines and columns the name of the person for whom such voter votes, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualification of voters.

J. P. RUCE.
LYSANDER JENNINGS.

Sworn to and subscribed before me, the 8th day of November, 1864.

WILLIAM SCHMALHORST,
One of the Judges of Election.

No.	Voters' names.	Residence.	Congress—District.	
			John R. Kelso.	S. H. Boyd.
1	J. H. Fletcher	Camden county	1	
2	David N. Butcher	do		
3	Caleb H. Moore	Laclede county		
4	Wm. Belhause	do		1
5	John S. Hayhart	do	1	
6	John M. Montgomery	do	1	
7	Penrose E. Wiles	do		1
8	Jacob Sayman	do	1	
9	William Hendricks	do	1	
10	James Horn	do		1
11	W. D. Farris	do	1	
12	Joseph Patton	do	1	
13	Robert Sayman	do	1	
14	S. A. Biggs	do	1	
15	Travis Johnson	do	1	
16	V. W. Anderson	do	1	
17	Harlin Doty	do	1	
18	James A. Benton	do	1	
19	L. M. Hendson	do		1
20	Daniel N. Caffey	do	1	
21	George P. Turner	do		1

TABLE—Continued.

No.	Voters' names.	Residence.	Congress—District.	
			John R. Kelso.	S. H. Boyd.
22	Joseph S. Turner	Laclede county		1
23	Andrew T. Anderson	do	1	
24	Jasper Pertel	do		1
25	Thomas Belldaback	do		1
26	Levi B. Haghart	do	1	
27	Wm. S. Bogart	do	1	
28	J. D. Mulican	do	1	
29	N. G. Benton	do	1	
30	Thomas C. Stokes	do	1	
31	Abner L. Cofman	do	1	
32	Ephraim W. Davis	do	1	
33	William Schmalhorst	do		1
34	Wm. McFall	do	1	
35	Lysander Jennings	do		1
36	J. N. Ruse	do		1

THE STATE OF MISSOURI, *County of Laclede, ss:*

Abstract of votes given at an election held at headquarters of company A, 73d regiment of enrolled Missouri militia, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general of the State of Missouri; State senator, State representatives in the legislature, for and against a State convention, a circuit attorney; for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for Laclede county.

Names of persons voted for, and for what office, and the number of votes given each candidate.

For Congress, fourth district, J. R. Kelso had 23 votes; S. H. Boyd had 11 votes.

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election.

Witness our hands this — day of November, 1864.

WILLIAM SCHAMLHORST,
WILLIAM McFALL,
E. W. DAVIS,
Judges.

Attest:

JAMES P. RUCE,
LYSANDER JENNINGS,
Clerks.

STATE OF MISSOURI, *County of Laclede, ss:*

I, John L. Herndon, clerk of the county court within and for the county and State aforesaid, do hereby certify that the foregoing is truly copied from the original now on file in my office, so far as it regards the congressional election in said county for a representative to Congress.

In witness whereof, I have hereto set my hand and affixed the seal of said [SEAL.] court at office this 24th day of October, A. D. 1865.

JOHN L. HERNDON, *Clerk.*

X.

Muster-in roll of Captain Mastin Breedin's company, commissioned May 19, 1862, *in the* —— *regiment,* —— *brigade, of* —— *volunteers, commanded by Colonel John M. Richardson, called into the service of the United States by* ——, *from the thirteenth day of April,* 1862, (*date of this muster,*) *for the term of* ——, *unless sooner discharged.*

No. of each grade.	Names, present and absent. (Privates in alphabetical order.)	Rank.	Age.	Joined for duty and enrolled.	
				When.	Where.
1	Mastin Breedin	Captain	31	April 10, 1862	Springfield, Mo.
1	William A. Allison	1st lieutenant	30	Mar. 20, 1862	Millville, Mo.
1	Stokeley Etter	2d lieutenant			
1	Samuel Acherd	1st sergeant	23	Mar. 20, 1862	Millville, Mo.
2	William C. Appleby	do	25	Mar. 20, 1862	Do.
3	Franklin Asbell	do	21	Mar. 30, 1862	Do.
4	Elisha T. Buffington	do	44	April 10, 1862	Springfield, Mo.
5	Eli Blanchard	do			
1	William Butler	Corporal		April 6, 1862	Springfield, Mo.
2	James Carter	do	24	April 10, 1862	Do.
3	Garnett Davenport	do	44	Mar. 20, 1862	Millville, Mo.
4	William W. Divine	do		April 5, 1862	Springfield, Mo.
5	William T. Eckles	do	25	April 10, 1862	Do.
6	Joseph Finch	do	18	April 10, 1862	Do.
7	Henry Fowce	do	44	Mar. 24, 1862	Millville, Mo.
8	William E. Garrison	do	28	Mar. 21, 1862	Do.
1	Buffington, Marcellus	Private	18	April 10, 1862	Springfield, Mo.
2	Box, James C	do		April 7, 1862	Do.
3	Cliff, George	do	18	April 10, 1862	Do.
4	Carman, James	do	30	Mar. 21, 1862	Millville, Mo.
5	Courtney, Robert	do	27	Mar. 23, 1862	Do.
6	Cook, Pharoah	do	48	Mar. 25, 1862	Do.
7	Cantrel, Benjamin	do		April 7, 1862	Springfield, Mo.
8	Cones, Samuel	do		Jan. 24, 1862	Do.
9	Downing, P. Levi	do	30	April 10, 1862	Do.
10	Downer, Samuel P	do	21	Mar. 29, 1862	Millville, Mo.
11	Divine, Thomas J	do		April 5, 1862	Springfield, Mo.
12	Davis, John A	do		April 7, 1862	Do.
13	Eckles, Elkanah	do	21	April 10, 1862	Do.
14	Freeze, John W	do	41	Mar. 20, 1862	Millville, Mo.
15	Gentry, Miner	do	25	Mar. 22, 1862	Do.
16	Gibbs, Thomas B	do	21	Mar. 24, 1862	Do.
17	Grooms, Abraham	do	27	Mar. 24, 1862	Do.
18	Granthany, John W	do			
19	Graves, Stephen	do		April 7, 1862	Springfield, Mo.
20	Hughes, Green D. D	do	19	April 10, 1862	Do.
21	Holmark, William	do	44	April 10, 1862	Do.
22	Humphrey, John	do	19	Mar. 21, 1862	Millville, Mo.
23	Henderson, W. H	do	47	Mar. 22, 1862	Do.
24	Harris, Simeon	do	20	Mar. 27, 1862	Do.
25	Hart, Lewis I	do		April 7, 1862	Springfield, Mo.
26	Hall, Thomas	do		Mar. 28, 1862	Do.
27	Harmon, Stephen N	do		Mar. 28, 1862	Do.
28	Kirby, John C	do	31	Mar. 20, 1862	Millville, Mo.
29	Koble, Christopher	do		Mar. 14, 1862	Springfield, Mo.
30	Lovelady, Thomas L	do	34	Mar. 20, 1862	Millville, Mo.
31	Long, George	do	19	Mar. 20, 1862	Do.
32	Lack, William	do	21	Mar. 25, 1862	Do.
33	Landers, John B	do	43	Mar. 23, 1862	Do.
34	Marshall, Thomas	do	20	April 10, 1862	Springfield, Mo.
35	Morris, Joseph H	do	33	Mar. 20, 1862	Millville, Mo.
36	McMasters, Wm. A	do	43	Mar. 20, 1862	Do.
37	Miller, Charles	do	19	Mar. 20, 1862	Do.
38	Montgomery, Archibald	do	54	Mar. 20, 1862	Do.
39	Melcher, Casper	do	33	Mar. 20, 1862	Do.
40	Maxwell, Joel	do	24	Mar. 26, 1862	Do.
41	McMasters, James C	do	38	Mar. 27, 1862	Do.
42	Nicholson, David D	do	25	Mar. 20, 1862	Springfield, Mo.
43	Picket, James M	do	18	Mar. 25, 1862	Millville, Mo.
44	Patten, Joseph A	do	28	Mar. 27, 1862	Do.
45	Pinrod, Andrew J	do		Mar. 28, 1862	Springfield, Mo.
46	Ruth, Isaac	do	26	Mar. 21, 1862	Millville, Mo.
47	Reeves, D. B	do	46	Mar. 22, 1862	Do.
48	Ruth, Jasper M	do	19	Mar. 28, 1862	Do.
49	Ruth, John	do	57	Mar. 30, 1862	Do.

X.—*Muster-in roll of Captain Mastin Breedin's company, &c.*—Continued.

No. of each grade.	Names, present and absent. (Privates in alphabetical order.)	Rank.	Age.	Joined for duty and enrolled.	
				When.	Where.
50	Robinson, Thomas P	Private	....	April 7, 1862	Springfield, Mo.
51	Storne, Elijah	....do	18	April 10, 1862	Do.
52	Starkey, Cyrus	....do	24	April 10, 1862	Do.
53	Shannon, Joseph	....do	45	Mar. 20, 1862	Millville, Mo.
54	Shannon, John W	....do	20	Mar. 21, 1862	Do.
55	Shackelford, Enoch K	....do	21	Mar. 24, 1862	Do.
56	Stoddard, William	....do	18	Mar. 26, 1862	Do.
57	Underwood, William R	....do	31	Mar. 20, 1862	Do.
58	Underwood, John B	....do	22	Mar. 10, 1862	Do.
59	Walker, John W	....do	60	April 10, 1862	Springfield, Mo.
60	Wells, John	....do	18	April 10, 1862	Do.
61	Watkins, John	....do	20	Mar. 20, 1862	Millville, Mo.
62	Watkins, George W	....do	28	Mar. 25, 1862	Do.
63	Wilkins, John	....do	46	Mar. 23, 1862	Do.
64	Wilson, Hannibal	....do	....	Mar. 14, 1862	Springfield, Mo.
65	Buffington, Samuel	....do	42	April 10, 1862	Do.
66	Poag, Robert	....do	....	Feb. 25, 1862	Mt. Vernon, Mo.
67	Davis, Jackson B	....do	....	Feb. 25, 1862	Do.
68	Lack, John	....do	23	Mar. 31, 1862	Millville, Mo.

HEADQUARTERS STATE OF MISSOURI,
Adjutant General's Office, Jefferson City, Mo., November 18, 1865.

I hereby certify that this is a correct copy of the original roll of company L, of the 8th cavalry M. S. M., on file in this office, as pertains to the names, rank, age, date and place of enlistment of the officers and men of said company.

SAMUEL P. SIMPSON,
Adjutant General of Missouri.

I certify, on honor, that this muster-roll exhibits the true state of Captain ———, company of the ———, for the period herein mentioned; that each man answers to his own proper name in person, and that the remarks set opposite the name of each officer and soldier are accurate and just.

———,
Commanding the Company.

Date: April 13, 1862.
Station: Springfield, Mo.

We certify, on oath, that the figures opposite the names on this roll, for valuation of horses and horse equipments, represent and show the true cash value of the horses and equipments of the men, respectively, at the place of enrolment, according to our honest, impartial judgment.

———,
———,
———,
Appraisers.

Sworn to and subscribed before

———,
Mustering Officer.

Date: April 13, 1862.
Station: Springfield, Mo.

I certify, on honor, that I have carefully examined the men whose names are borne on this roll, their horses and equipments, and have accepted them into the service of the United States for the term of ——— from this ——— day of ———, 186 .

———,
Mustering Officer.

Date: April 13, 1862.
Station: Springfield, Mo.

Muster-in roll of Captain Milton Birch's company, in the ——— regiment, (—— brigade,) of M. S. M., commanded by Colonel ———, called into the service of the State of Missouri by the governor, from the 19th day of April, 1862, (date of this muster,) for the term of the war, unless sooner discharged.

No. of each grade.	Names.	Rank.	Age.	Joined for duty and enrolled.			
				When.	Where.	By whom enrolled.	Period.
				1862.			
1	Milton Burch	Captain	39	March 9	Springfield	John M. Richardson	During war in
1	John R. Kelso	1st lieut	31	March 24	do	do	Missouri.
1	Amos Norton	2d lieut	38	April 8	do	do	do
1	David Westfall	1st sergeant	19	March 24	do	do	do
2	Daniel A. Lindsay	2d sergeant	30	April 7	do	do	do
3	William W. Lee	3d sergeant	40	March 24	do	do	do
4	Robert McElhaney	4th sergeant	20	do	do	do	do
5	William M. McCoy	5th sergeant	30	do	do	do	do
1	John T. Smith	Corporal	25	April 7	do	do	do
2	John M. Baxter	do	23	March 24	do	do	do
3	William M. Green	do	21	April 7	do	do	do
4	Moses E. Banks	do	35	do	do	do	do
5	Peter Humphrey	do	33	do	do	do	do
6	Peter F. Hutchinson	do	26	do	do	do	do
7	Francis M. Henderson	do	28	March 24	do	do	do
8	Lewis L. Stafford	do	24	March 9	do	do	do
1	John G. Williams	Bugler	24	April 7	do	do	do
1	Marion Galaspie	Wagoner	22	do	do	do	do
1	Raleigh W. Hanks	Farrier	36	March 13	do	do	do
1	Anderson, Mathew M	Private	17	April 7	do	do	do
2	Badet, George	do	35	March 24	do	do	do
3	Barns, Fillmore H	do	24	do	do	do	do
4	Bright James	do	23	April 7	do	do	do
5	Boone, William L	do	22	April 8	do	do	do
6	Biggs, David	do	31	April 11	do	do	do
7	Black, John T	do	19	March 24	do	do	do
8	Black, Joshua	do	22	do	do	do	do
9	Biggs, Marion	do	18	do	do	do	do
10	Berry, William	do	18	do	do	do	do
11	Betterton, Leeland	do	22	do	do	do	do
12	Benton, William G	do	18	March 9	do	do	do
13	Benton, James A	do	17	March 31	do	do	do
14	Barkley, Samuel S	do	17	March 13	do	do	do
15	Brewer, Samuel T	do	42	April 7	do	do	do
16	Breshears, Joseph W	do	23	do	do	do	do
17	Breshears, Thos. H. B	do	17	do	do	do	do
18	Clark, Isaac	do	21	March 9	do	do	do
19	Crawford, John W	do	18	do	do	do	do
20	Chapman, Elias	do	38	April 7	do	do	do
21	Campbell, Andrew	do	17	do	do	do	do
22	Cross, William A	do	31	March 31	do	do	do
23	Calton, David	do	18	March 24	do	do	do
24	Crawford, John H	do	34	do	do	do	do
25	Cox, Richard F	do	18	do	do	do	do
26	Compton, Henry L	do	17	March 28	do	do	do
27	Dye, John H	do	18	April 1	do	do	do
28	Eagle, Benjamin T	do	24	March 24	do	do	do
29	Evans, Mark B	do	30	March 9	do	do	do
30	Estes, Samuel C	do	19	March 24	do	do	do
31	Finley, Joseph C	do	19	do	do	do	do
32	Hutchinson, Wm. G	do	29	April 7	do	do	do
33	Hogg, John B	do	26	do	do	do	do
34	Hawkins, Joseph	do	19	March 13	do	do	do
35	Hill, George	do	20	March 24	do	do	do
36	Haddock, Franklin	do	23	do	do	do	do
37	Hutchinson, Sam'l J	do	24	April 12	do	do	do
38	Jones, John S	do	21	April 7	do	do	do
39	Jones, Samuel	do	25	do	do	do	do
40	Jones, James E	do	22	do	do	do	do
41	Kirk, John J	do	18	do	do	do	do
42	Keneday, Benj. F	do	30	March 24	do	do	do
43	Keithley, James	do	47	April 13	do	do	do
44	Lovan, Marshall G	do	19	April 7	do	do	do
45	Lance, Charles H	do	22	March 24	do	do	do
46	McConnell, James M	do	22	do	do	do	do
47	McCoy, Rufus H	do	18	do	do	do	do
48	May, Charles	do	20	March 20	do	do	do
49	Ohannon, John	do	48	April 9	do	do	do
50	Orvis, Wilson J	do	41	March 24	do	do	do

Muster-in roll of Captain Milton Birchs's company, &c.—Continued.

No. of each grade.	Names.	Rank.	Age.	Joined for duty and enrolled.			
				When.	Where.	By whom enrolled.	Period.
				1862.			
51	Powell, James C	Private	23	April 7	Springfield	John M. Richardson	During war in
52	Parks, John Wesley	do	21	March 31	do	do	Missouri.
53	Price, Henry C	do	18	do	do	do	do
54	Perryman, William S	do	29	do	do	do	do
55	Phillips, Oscar	do	17	March 25	do	do	do
56	Randalman, Jos	do	20	March 24	do	do	do
57	Rogers, Willis	do	23	April 7	do	do	do
58	Scott, Levi N	do	19	do	do	do	do
59	Scott, Thomas S	do	18	March 9	do	do	do
60	Smithson, Albert F	do	37	March 24	do	do	do
61	Stone, Joseph F	do	17	do	do	do	do
62	Stoner, Jefferson	do	21	do	do	do	do
63	Smithson, Andrew J	do	18	do	do	do	do
64	Sheppard, Benjamin	do	19	do	do	do	do
65	Short, James H	do	28	April 7	do	do	do
66	Stockstill, Thomas	do	40	do	do	do	do
67	Todd, Beckton	do	38	March 9	do	do	do
68	Todd, William	do	51	March 24	do	do	do
69	Tate, Wm. Jasper	do	40	do	do	do	do
70	Tate, Jas. Jefferson	do	17	do	do	do	do
71	Terry, John R	do	23	do	do	do	do
72	Vanderford, Monroe	do	17	April 7	do	do	do
73	Woods, Wilson	do	23	March 24	do	do	do
74	Vincent, Christopher C	do	18	March 13	do	do	do
75	Williams, James	do	18	April 7	do	do	do
76	Wingo, Francis S	do	36	do	do	do	do
77	Youngblood, Joseph	do	22	do	do	do	do

HEADQUARTERS, STATE OF MISSOURI, ADJUTANT GENERAL'S OFFICE,
Jefferson City, November 16, 1865.

I hereby certify that this is a correct copy of the original roll of company ———, 8th Missouri State militia, on file in this office, as pertains to the names, rank, date of enlistment, age, and residence of the officers and men of said company.

SAMUEL P. SIMPSON,
Adjutant General Mo.

Muster-in roll of Captain David D. Stockton's company, in the eighth regiment (— brigade) of Missouri State militia, commanded by Colonel —— ——, called into the service of the State of Missouri by Governor Hamilton R. Gamble, from the eighteenth day of December, 1861, *(date of this muster,) for the term of during the war in Missouri, unless sooner discharged.*

No. of each grade.	Names, present and absent. (Privates in alphabetical order.)	Rank.	Age.	Joined for duty and enrolled.	
				When.	Where.
1	Stockton, David D	Captain	50	Dec. 18, 1861	Jefferson City.
1	Akard, James J	1st lieutenant	23	....do	Do.
1	Gravelly, Joseph J	2d lieutenant	33	....do	Do.
1	Mead, William O	Sergeant	20	....do	Do.
2	Morton, Anderson	....do	46	....do	Do.
3	Ashlock, William	....do	55	....do	Do.
4	Wakefield, John H	....do	21	....do	Do.
5	Butler, John	....do	37	....do	Do.
1	Wakefield, Thomas A	Corporal	22	....do	Do.
2	Smith, Benjamin F	....do	33	....do	Do.
3	Pitts, Christopher	....do	21	....do	Do.
4	Dunnegan, Thomas H. B	....do	19	....do	Do.
5	McGee, John	....do	21	....do	Do.
6	Hasch, James F	....do	18	....do	Do.
7	Box, Pleasant M	....do	44	....do	Do.
8	Dinsey, Elias	....do	35	....do	Do.
1	Kirkpatrick, Nathaniel M	Musician	53	....do	Do.
2	Dryden, Robert M	....do	26	....do	Do.
1	Aschworth, Jason	Wagoner	52	....do	Do.
1	Bartsche, John	Private	20	....do	Do.
2	Bron, William N	....do	40	....do	Do.
3	Cox, Henry J	....do	23	....do	Do.
4	Chescher, James F	....do	20	....do	Do.
5	Cole, James F	....do	22	....do	Do.
6	Chriswell, William J	....do	26	....do	Do.
7	Cox, Benson	....do	22	....do	Do.
8	Cantrell, Benjamin F	....do	33	....do	Do.
9	Dent, Samuel	....do	29	....do	Do.
10	Dawson, John	....do	40	....do	Do.
11	Dennison, Lewis G	....do	49	....do	Do.
12	Dennison, Edmund B	....do	19	....do	Do.
13	Dyer, John W	....do	17	....do	Do.
14	Elliott, Asa C	....do	19	....do	Do.
15	Fanning, William	....do	25	....do	Do.
16	Flint, Ezekiel	....do	20	....do	Do.
17	Guernsey, John N	....do	26	....do	Do.
18	Gotham, William R	....do	19	....do	Do.
19	Goodson, Marion	....do	20	....do	Do.
20	Griffith, William L	....do	32	....do	Do.
21	Gilmore, Patrick H	....do	17	....do	Do.
22	Grant, Charles H	....do	22	....do	Do.
23	Hudson, William J	....do	22	....do	Do.
24	Harman, Valentine	....do	54	....do	Do.
25	Hook, James F	....do	23	....do	Do.
26	Hogg, William H	....do	18	....do	Do.
27	Hays, William	....do	22	....do	Do.
28	Hess, Noah	....do	52	....do	Do.
29	Hopper, Thomas	....do	44	....do	Do.
30	Jordan, Jasper N	....do	18	....do	Do.
31	Jordan, John W	....do	21	....do	Do.
32	Jordan, Alexander	....do	17	....do	Do.
33	Kidd, Henry	....do	20	....do	Do.
34	Langford, William R	....do	19	....do	Do.
35	Lower, William	....do	19	....do	Do.
36	Lower, John	....do	21	....do	Do.
37	Miller, Charles	....do	25	....do	Do.
38	McGee, William	....do	23	....do	Do.
39	McCarty, Jerry	....do	22	....do	Do.
40	Moser, Americus	....do	21	....do	Do.
41	McCracken, Thomas	....do	25	....do	Do.
42	Mitchell, Wesley M	....do	21	....do	Do.
43	Nimenger, John C	....do	19	....do	Do.
44	Purkinsen, Jesse H	....do	23	....do	Do.
45	Pitts, John	....do	47	....do	Do.
46	Puthuff, James J	....do	19	....do	Do.
47	Phelps, Philip J	....do	28	....do	Do.
48	Parrish, Elijah L	....do	22	....do	Do.

Muster-in roll of Captain Stockton's company, &c.—Continued

No. of each grade.	Names, present and absent. (Privates in alphabetical order.)	Rank.	Age.	Joined for duty and enrolled.	
				When.	Where.
49	Rowden, John	Private	34	Dec. 18, 1861	Jefferson City.
50	Ross, James H	....do	26	....do	Do.
51	Ratcliffe, Robert	....do	20	....do	Do.
52	Ratcliffe, John	....do	24	....do	Do.
53	Roberts, Thomas	....do	21	....do	Do.
54	Raymond, Ransom	....do	23	....do	Do.
55	Robertson, Monroe	....do	28	....do	Do.
56	Skinner, Bailey D	....do	18	....do	Do.
57	Stricklin, William	....do	21	....do	Do.
58	Stockton, Thomas B	....do	20	....do	Do.
59	Stockton, William W	....do	25	....do	Do.
60	Sawyer, Andrew J	....do	22	....do	Do.
61	Thomas, William	....do	20	....do	Do.
62	Thompson, Isaac H. L	....do	20	....do	Do.
63	Willis, Albert A	....do	48	....do	Do.
64	Wilt, Milton	....do	33	....do	Do.
65	Wyatt, William H	....do	20	....do	Do.
66	Wartham, James H	....do	15	....do	Do.
67	White, Martin L	....do	18	....do	Do.
68	Williams, Thomas R	....do	19	....do	Do.
69	Zahringer, Joseph	....do	52	....do	Do.

HEADQUARTERS STATE OF MISSOURI, ADJUTANT GENERAL'S OFFICE,
Jefferson City, Mo., November 20, 1865.

I hereby certify that this is a correct copy of the original muster-in roll of company A, 8th M. S. M., on file in this office, as pertains to the names, rank, age, date and place of enlistment of the officers and men of said company.

SAMUEL P. SIMPSON,
Adjutant General of Missouri.

I certify, on honor, that this muster-roll exhibits the true state of Captain ——— company of the ———, for the period herein mentioned; that each man answers to his own proper name in person, and that the remarks set opposite the name of each officer and soldier are accurate and just.

———— ————,
Commanding the Company.

Date: December 18, 1861.
Station: Jefferson City, Missouri.

We certify, on oath, that the figures opposite the names on this roll, for valuation of horses and horse equipments, represent and show the true cash value of the horses and equipments of the men, respectively, at the place of enrolment, according to our honest, impartial judgment.

———— ————,
———— ————,
Appraisers.

Sworn to and subscribed before

———— ————,
Mustering Officer.

Date: December 18, 1861.
Station: Jefferson City, Missouri.

I certify, on honor, that I have carefully examined the men whose names are borne on this roll, their horses, and equipments, and have accepted them into the service of the United States for the term of ———— from this ——— day of ———, 186 .

———— ————,
Mustering Officer.

Date: December 18, 1861.
Station: Jefferson City, Missouri.

Muster-in roll of Captain Julius Glade's company, in the 8th regiment, (—— brigade,) of Missouri State militia volunteers, commanded by Colonel J. W. McClurg, called into the service of the United States by Governor Hamilton R. Gamble, from the second day of April, 1862, (date of this muster,) for the term of during the war in Missouri, unless sooner discharged.

No. of each grade.	Names.	Rank.	Age.	Joined for duty and enrolled.	
				When.	Where.
1	Julius Glade	Captain	35	May 6, 1862	Warsaw, Mo.
1	Henry L. Mitchell	1st lieutenant	42	April 2, 1862	Do.
1	Henry Grother	2d lieutenant	45	April 2, 1862	Do.
1	John A. Baldwin	Sergeant	42	April 2, 1862	Do.
2	William Brandon	do	24	April 2, 1862	Do.
3	Harmin Mitchell	do	18	April 2, 1862	Do.
4	Harman Dean	do	28	May 3, 1862	Do.
5	Thomas C. Bradley	do	33	April 2, 1862	Do.
1	Garret Lulyen	Corporal	35	May 3, 1862	Do.
2	Louis Goodwin	do	29	May 6, 1862	Do.
3	Henry Bruenger	do	32	April 2, 1862	Do.
4	Madison Spickerman	do	26	April 2, 1862	Do.
5	Charles E. Barcus	do	25	April 2, 1862	Do.
6	Harman Meyer	do	32	April 2, 1862	Do.
7	Albert Stemmer	do	20	May 3, 1862	Do.
8	Henry Tideman	do	35	April 2, 1862	Do.
1	John Ritchie	Musician	20	April 11, 1862	Do.
2	John York	do	18	April 2, 1862	Do.
1	Harman Waerderman	Wagoner	35	April 2, 1862	Do.
1	Andrews, James W.	Private	34	April 2, 1862	Do.
2	Aeckhoff, John	do	42	April 2, 1862	Do.
3	Borchers, John H.	do	37	April 2, 1862	Do.
4	Backman, Henry	do	18	April 2, 1862	Do.
5	Borchers, John	do	25	April 2, 1862	Do.
6	Bishop, Henry	do	19	April 2, 1862	Do.
7	Bellman, Detrich	do	24	April 2, 1862	Do.
8	Barcus, Henry	do	18	April 2, 1862	Do.
9	Brown, William S	do	19	April 11, 1862	Do.
10	Bradley, Jonathan L	do	31	April 14, 1862	Do.
11	Busch, Detrich	do	23	April 2, 1862	Do.
12	Baldwin, James S	do	18	April 11, 1862	Do.
13	Brinkhorst, Henry	do	25	May 3, 1862	Do.
14	Cook, Erwin A	do	18	April 2, 1862	Do.
15	Cranhan, David	do	33	April 14, 1862	Do.
16	Christian, James	do	27	May 3, 1862	Do.
17	Dodson, Thomas N	do	19	April 2, 1862	Do.
18	Deininger, John	do	43	April 27, 1862	Do.
19	Eckhoff, Claus	do	18	April 27, 1862	Do.
20	Feldman, Henry	do	27	April 2, 1862	Do.
21	Grim, Martin	do	33	April 2, 1862	Do.
22	Gukin, Martin	do	25	April 2, 1862	Do.
23	Gentry, Mark	do	36	April 27, 1862	Do.
24	Grace, Nathaniel	do	21	April 27, 1862	Do.
25	Harms, Henry	do	40	April 2, 1862	Do.
26	Hongh, John	do	20	May 3, 1862	Do.
27	Harms, John	do	19	April 20, 1862	Do.
28	Hongh, William	do	28	May 3, 1862	Do.
29	Hough, James	do	21	May 3, 1862	Do.
30	Hough. Jordon	do	26	May 3, 1862	Do.
31	Hoyt, Lorenzo	do	44	May 3, 1862	Do.
32	Hooker, Theodore	do	18	April 2, 1862	Do.
33	Kuck, John	do	44	April 2, 1862	Do.
34	Kronko, Hermann	do	27	April 2, 1862	Do.
35	Kurtz, William	do	18	May 3, 1862	Do.
36	Knapp, Asa	do	29	April 2, 1862	Do.
37	Lipper, Bernhardt	do	27	April 2, 1862	Do.
38	Lear, Francis M	do	27	April 27, 1862	Do.
39	Mitchel, Porter	do	....	April 2, 1862	Do.
40	Mehaslis, Henry	do	31	April 2, 1862	Do.
41	Minemann, Nicholas	do	32	April 14, 1862	Do.
42	Miller, Henry	do	19	April 2, 1862	Do.
43	Miller, John	do	41	April 2, 1862	Do.
44	Miller, Martin	do	21	April 2, 1862	Do.
45	Meyer, John A	do	27	April 2, 1862	Do.
46	Meyer, Thess	do	23	April 14, 1862	Do.
47	Meyer, Antone	do	38	April 27, 1862	Do.
48	Nolte, Adam	do	34	April 2, 1862	Do.

Muster-in roll of Captain Julius Glade's company, &c.—Continued.

No. of each grade.	Names.	Rank.	Age.	Joined for duty and enrolled.	
				When.	Where.
49	Nuce, William	Warsaw, Mo	20	April 2, 1862	Warsaw, Mo.
50	Nave, Thomas B	do	20	April 27, 1862	Do.
51	Park, Malgan	do	44	May 3, 1862	Do.
52	Red, James	do	20	April 14, 1862	Do.
53	Reinert, Andreas	do	33	April 27, 1862	Do.
54	Snnckenburg, John	do	18	April 27, 1862	Do.
55	Steffins, Claus	do	25	April 27, 1862	Do.
56	Schouten, James H	do	31	April 14, 1862	Do.
57	Shutle, Henry	do	39	April 14, 1862	Do.
58	Sellus, Calvin	do	28	April 14, 1862	Do.
59	Steinbrink, Frederick	do	31	May 3, 1862	Do.
60	Tinkenn, Frederick W	do	44	April 2, 1862	Do.
61	Todd, James A	do	22	April 14, 1862	Do.
62	Thornhoff, John	do	24	April 14, 1862	Do.
63	Tieman, August	do	29	April 2, 1862	Do.
64	Wallace, James	do	18	April 18, 1862	Do.

HEADQUARTERS STATE OF MISSOURI,
Adjutant General's Office, Jefferson City, Mo., November 18, 1865.

I hereby certify that this is a correct copy of the original muster-in roll of company K, 8th Missouri State militia, on file in this office, as pertains to the rank, age, date, and place of enlistment of the officers and men of said company.

SAMUEL P. SIMPSON,
Adjutant General of Missouri.

I certify, on honor, that this muster-roll exhibits the true state of Captain ——— company of the ——— for the period herein mentioned; that each man answers to his own proper name in person; and that the remarks set opposite the name of each officer and soldier are accurate and just.

———,
Commanding the Company.

Date: May 6, 1862.
Station: Warsaw, Missouri.

We certify, on oath, that the figures opposite the names on this roll, for valuation of horses and horse equipments, represent and show the true cash value of the horses and equipments of the men, respectively, at the place of enrolment, according to our honest, impartial judgment.

———,
———,
———,
Appraisers.

Sworn to and subscribed before

———,
Mustering Officer.

Date: May 6, 1862.
Station: Warsaw, Missouri.

I certify, on honor, that I have carefully examined the men whose names are borne on this roll, their horses, and equipments, and have accepted them into the service of the United States for the term of ——— from this ——— day of ———, 186 —.

———,
Mustering Officer.

Date: May 6, 1862.
Station: Warsaw, Missouri.

Muster-in roll of Captain Richard G. Chittwood's company, in the eighth regiment, (—— brigade,) of Missouri State militia, commanded by Colonel Joseph W. McClurg, called into the service of the State of Missouri, by Governor Hamilton R. Gamble, from the 14th day of April, 1862, (date of this muster,) for the term of the war, unless sooner discharged, under the provisions of General Orders No. 96, series of 1861, of the War Department.

No. of each grade.	Names, present and absent. (Privates in alphabetical order.)	Rank.	Age.	Joined for duty and enrolled.	
				When.	Where.
1	Richard G. Chittwood	Captain	36	Feb. 17, 1862	Linn Creek, Mo.
1	William T. Chittwood	1st lieutenant	26	do	Do.
1	Dubart E. Murphy	2d lieutenant	27	do	Do.
1	William B. Murphy	Sergeant	24	do	Do.
2	William T. Asbell	do	22	Feb. 23, 1862	Do.
3	Pinckney G. Ash	do	25	Mar. 17, 1862	Do.
4	Benjamin Ronark	do	35	Mar. 10, 1862	Do.
5	Thomas E. Gray	do	24	Feb. 17, 1862	Do.
1	James Hammons	Corporal	24	do	Do.
2	Reuben S. Casteel	do	25	do	Do.
3	Lorenzo D. Stroud	do	21	Feb. 23, 1862	Do.
4	Archibald J. Looney	do	23	do	Do.
5	James H. Cox	do	20	Mar, 17, 1862	Do.
6	George Robinson	do	42	Feb. 22, 1862	Do.
7	John A. Burke	do	23	Mar. 28, 1862	Do.
8	Seburne B. Elliott	do	23	Feb. 17, 1862	Do.
1	John W. Sweeney	Musician	18	Feb. 23, 1862	Do.
2	William R. Smart	do	18	Mar. 28, 1862	Do.
1	John W. Bosshau	Wagoner	43	Mar. 22, 1862	Do.
1	Atkins, Samuel	Private	25	Feb. 23, 1862	Do.
2	Asb, George A	do	20	Mar. 17, 1862	Do.
3	Barr, Jacob S	do	23	Feb. 17, 1862	Do.
4	Breach, William M	do	18	do	Do.
5	Bailey, James B	do	21	Mar. 10, 1862	Do.
6	Bennett, Moses L	do	23	Mar. 18, 1862	Do.
7	Bowles, Ralph C	do	34	Mar. 31, 1862	Do.
8	Barr, George H. C	do	20	Feb. 22, 1862	Do.
9	Brown, Joseph	do	32	Feb. 17, 1862	Do.
10	Carnes, James B	do	22	do	Do.
11	Castell, David B	do	19	do	Do.
12	Castell, Freeman J	do	22	do	Do.
13	Coyle, James A	do	26	Mar. 10, 1862	Do.
14	Castell, Thomas N	do	22	Mar. 13, 1862	Do.
15	Cornett, William M	do	25	do	Do.
16	Crack, Benjamin	do	22	Mar. 17, 1862	Do.
17	Drum, Jeremiah	do	21	Feb. 17, 1862	Do.
18	Drum, Squire	do	18	Feb. 28, 1862	Do.
19	Elliott, William H	do	19	Feb. 17, 1862	Do.
20	Elliott, Levi W	do	22	do	Do.
21	Edwards, James B	do	22	Feb. 23, 1862	Do.
22	Emerson, William N	do	19	do	Do.
23	Etharge, Archer J	do	20	do	Do.
24	Fuzzle, James	do	19	do	Do.
25	Fletcher, Elias	do	18	Mar. 16, 1862	Do.
26	Ferry, James	do	33	Apr. 13, 1862	Do.
27	Hagan, Richard	do	45	Feb. 17, 1862	Do.
28	Howe, James W	do	18	Feb. 18, 1862	Do.
29	Hutchinson, Archer J	do	20	Feb. 23, 1862	Do.
30	Hart, Ezekiel	do	18	Mar. 17, 1862	Do.
31	Hawley, John	do	23	Apr. 13, 1862	Do.
32	Johnson, George	do	18	Mar. 24, 1862	Do.
33	Johnson, Ezra	do	20	Mar. 17, 1862	Do.
34	June, Albert	do	18	Apr. 13, 1862	Do.
35	Keith, Foster	do	23	Mar. 23, 1862	Do.
36	Le Grand, George W	do	21	Feb. 17, 1862	Do.
37	Lee, John R	do	19	Feb. 19, 1862	Do.
38	Lane, George	do	19	Mar. 28, 1862	Do.
39	Loveall, Daniel D	do	18	Apr. 8, 1862	Do.
40	Lawson, William D	do	18	do	Do.
41	Mercer, William H	do	45	Feb. 23, 1862	Do.
42	Miller, William T	do	18	Mar. 24, 1862	Do.
43	Neely, William B	do	20	Feb. 20, 1862	Do.
44	Nixon, Zephaniah	do	18	Feb. 28, 1862	Do.
45	Parish, John F	do	18	Mar. 8, 1862	Do.
46	Palmer, Noah W	do	20	Mar. 17, 1862	Do.

Muster-in roll of Captain Richard G. Chittwood's company—Continued.

No. of each grade.	Names, present and absent. (Privates in alphabetical order.)	Rank.	Age.	Joined for duty and enrolled.	
				When.	Where.
47	Palmer, James M	Private	24	Mar. 17, 1862	Linn Creek, Mo.
48	Roach, Littlebury J	do	26	Feb. 17, 1862	Do.
49	Remington, Elisha B	do	24	do	Do.
50	Rundleman, James M	do	22	Mar. 10, 1862	Do.
51	Shaw, James D	do	19	Feb. 18, 1862	Do.
52	Scott, Elisha	do	21	Feb. 22, 1862	Do.
53	Sweeney, Malichi W	do	20	Feb. 25, 1862	Do.
54	Sweeney, William A	do	44	Mar. 10, 1862	Do.
55	Sweeney, Levi J	do	21	do	Do.
56	Sweeney, Wiley N	do	18	do	Do.
57	Sweeney, James M	do	19	do	Do.
58	Stone, Jeremiah	do	18	Mar. 24, 1862	Do.
59	Tucker, Andrew J	do	19	Feb. 17, 1862	Do.
60	Thompson, Thomas B	do	25	Mar. 13, 1862	Do.
61	Vaught, John	do	31	Feb. 28, 1862	Do.
62	Vincent, Richard H	do	45	Mar. 16, 1862	Do.
63	Winds, Samuel C	do	41	Mar. 29, 1862	Do.
64	Winfrey, William C	do	22	Mar. 11, 1862	Do.

HEADQUARTERS, STATE OF MISSOURI,
Adjutant General's Office, Jefferson City, Missouri, November 20, 1865.

I hereby certify that this is a correct copy of the original muster-in roll of company G, 8th M. S. M. cavalry, on file in this office, as pertains to the rank, age, date and place of enlistment of the officers and men of said company.

[SEAL.]

SAMUEL P. SIMPSON,
Adjutant General of Missouri.

I certify, on honor, that this muster-roll exhibits the true state of Captain ——— company of the ———, for the period herein mentioned; that each man answers to his own proper name in person, and that the remarks set opposite the name of each officer and soldier are accurate and just.

———,
Commanding Company.

Date: April 14, 1862.
Station: Linn Creek, Missouri.

We certify, on oath, that the figures set opposite the names on this roll, for valuation of horses and horse equipments, represent and show the true cash value of the horses and equipments of the men, respectively, at the place of enrolment, according to our honest, impartial judgment.

———,
———,
———,
Appraisers.

Sworn to and subscribed before

———,
Mustering Officer.

Date: April 14, 1862.
Station: Linn Creek, Missouri.

I certify, on honor, that I have carefully examined the men whose names are borne on this roll, their horses and equipments, and have accepted them into the service of the United States for the term of ———, from this —— day of ——, 186

———,
Mustering Officer.

Date: April 14, 1862.
Station Linn Creek, Missouri

Voters' names.	Residence.	For presidential electors.											S. H. Boyd, Congress, —— district.	Thos. C. Fletcher, governor.	Geo. Smith, lieut. governor.	F. Rodman, sec'y of state.	Alonzo Thompson, State auditor.	William Bishop, State treasurer.	J. E. Smith, reg. of lands.	Robert F. Wingate, attorney general.	John R. Kelso, Congress.	For a State convention.	A. Gibson, county sheriff.	G. W. Rinker, representative.
		S. O. Scofield.	C. D. Drake.	Lucien Eaton.	Barnabas Smith.	J. C. Killian.	H. J. Lindenbower.	George R. Smith.	Charles Carpenter.	J. C. Parker.	W. Smith Ingham.	T. J. C. Fagg.												
1. Joseph B. Browning	Lawrence county	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
2. Solomon Carpenter	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
3. Jacob B. Carter	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
4. Allen R. McNatt	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
5. John J. McNatt	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
6. William Hankins	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
7. William Springer	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
8. Simon M. Carpenter	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
9. George A. Hillhouse	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
10. James F. Hargroves	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
11. William P. Norman	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
12. William J. Williams	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
13. James H. Hillhouse	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
14. Francis M. Howard	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
15. Levi G. Hillhouse	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
16. Thomas P. Robertson	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
17. Able Binney	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
18. Samuel C. Davis	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
19. Robert Carpenter	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
20. Samuel Gunter	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
21. William W. Robertson	do	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
22. W. Cole	St. Louis	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	.....	.....	.....	.....
23. John R. Hillhouse	Lawrence county	1	1	1	1	1	1	1	1	1	1	1	.....	1	1	1	1	1	1	1	1	1	1	1
24. James H. Matthews	do	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	.....	.....	.....	.....
		24	24	24	24	24	24	24	24	24	24	24	1	24	24	24	24	24	24	24	22	22	22	22

We, the undersigned, judges, certify the foregoing to be a true abstract of the votes given at said election. Witness our hands this 8th day of November, 1864.

WILBORN H. WARD,
JOHN D. WARD,
GEORGE CLAYPOOL,
Judges.

Attest: JAMES H. MATTHEWS,
FRANKLIN C. HENDERSON,
Clerks.

STATE OF MISSOURI, *County of Lawrence, ss:*

I, John S. Wilson, clerk of the county court in and for said county of Lawrence, do hereby certify the foregoing to be a full and true copy of the voters, residence, number of votes cast, and for whom cast, as per original poll-book of Captain S. Julian's company, battery I, 2d Missouri artillery, as now on file in my office, and that the same was certified to the secretary of state as a part of the vote of said county of Lawrence.

Witness my hand and official seal this 3d day of April, A. D. 1866.

[SEAL.] JOHN S. WILSON, *Clerk.*

XII.

To SEMPRONIUS H. BOYD:

You notify me that you shall contest my right to a seat as a representative of the fourth congressional district of the State of Missouri in the House of Representatives of the United States, which seat I claim by virtue of an election held on the 8th day of November, A. D. 1864, and a certificate of my election issued by the secretary of the State of Missouri.

I deny that four hundred, or any other number, of illegal votes were cast for me at the various precincts and localities, or any precinct or locality, in the counties of Barry, McDonald, Newton, and Jasper, being a part of said district; and I deny that the election held in said counties mentioned was illegal and fraudulent, or that the votes returned from said counties were illegal and fraudulent.

I deny that at the Cassville precinct, in said district, persons voted for me who were non-residents of the district, or were minors, under twenty-one years of age. I claim that the election at said precinct was legally and lawfully held under and by virtue of the laws of the State of Missouri, and that the persons who voted were qualified electors, that the required oaths were administered to said electors, that said electors cast their votes by ballot, and that the returns of the votes cast were properly certified and returned in accordance with the laws of said State, and that the returns of said election in said precinct, as well as the returns of the election in the whole of said county of Barry, were legal and properly counted.

I deny that the votes cast for me in the county of McDonald, in said district were illegal and fraudulent. I claim that said election, held in said county, was held in accordance with and by virtue of the election laws of the State of Missouri. I deny that unqualified electors, non-residents of said county and minors conducted the election held in said county or voted at said election, and I claim that said electors took the required oath, that their votes were given in and cast by ballot, and that the judges and other officers of said election were duly qualified and were legally certified and returned as required by law.

I deny that the election held in the county of Newton was illegal and fraudulent, but claim that the same was conducted legally and in accordance with the laws of the State of Missouri, and that the election returns were certified and returned according to law. I deny that persons voted in said Newton county election without taking the prescribed oaths, or that said election was conducted without ballot, or that any but qualified electors voted at said election.

I deny that the election held in Jasper county, in said district, was illegally held, and claim that the said election was held in accordance with the requirements of the laws of the State, that none but qualified electors voted at such election, and that the returns of said election were duly and legally made, and the votes rightfully counted.

I deny that fifty or any other number of illegal votes were given for me at the election held by a company of the second regiment Missouri artillery, com

manded by Captain Stephen Julian, and I claim that said election was held legally and in accordance with the requirements of the laws of the State of Missouri, and that none but qualified electors participated in such election, and that the returns of such election were legally made, certified, and returned.

I deny that several hundred, or any number, of illegal votes were cast for me at the election held in said district; but I claim that the votes given for me were cast by qualified electors, legally and in pursuance of the election laws of the State of Missouri.

I deny that there were polled at Dadeville and Greenfield precincts, in the county of Dade, in said district, a majority in your favor of three hundred and ninety-four votes; and I deny that you received eighty-seven votes majority of the legal vote of Polk county, in said district.

I deny that you received a majority of the legal votes cast at said election held in said district, or that you received the greatest number of legal votes cast at such election, or that you are entitled to a seat in the House of Representatives of the United States as a representative from the fourth congressional district of Missouri, by virtue of the election held in said district on the 8th day of November, 1864.

I claim that of the votes polled at said election, I received some four hundred and fifty votes more than were cast for you.

I further claim that the election said to have been held in Douglass county, in said district, was illegal and fraudulent, and that you are not entitled to the one hundred and forty-one votes cast at the precinct or precincts in said county for you. The election was not held according to any law known in the State of Missouri; unqualified voters, non-residents of said county, and minors conducted said election, and voted contrary to and in violation of the election law of said State; that said election was not conducted by ballot; that the oath required by law was not administered to the electors; that the judges and clerks of said election were not duly appointed and qualified according to the requirements of said election law; that the returns were not properly certified and by a proper officer, and said returns were not made in due time and to the proper officer, and the poll-book of said election was not deposited with a person authorized to have the custody of the same.

I further claim that the election said to be held in Barton county, at which you received, as stated, twenty votes; the election said to have been held in Taney county, at which it is said you received twenty-one votes, as well as the election said to have been held in Texas county, at which, it is said, you received twenty votes, were illegally and fraudulently held, and you are not entitled to the votes returned from said counties or any part thereof. That the said counties of Barton, Taney, and Texas had no county officers or any officer authorized by existing laws of the State to hold or conduct elections therein on the 8th day of November, 1864; that said counties were, to all intents and purposes, disorganized and depopulated counties, and that no election was held in said counties at the usual voting precincts, in obedience to, and conformity with, existing laws of the State of Missouri; that the returns of the elections in said counties was not properly certified, and by a proper officer, or returned to an officer authorized to receive them; non-residents, minors, and unqualified electors voted in said counties, and the prescribed oath was not administered to the electors, for which illegalities and irregularities said returns should have been excluded, and said votes not counted.

I further contend that at the election held in Green county, in said district, and particularly at the Springfield voting precinct, many illegal and fraudulent votes were cast for you; that minors, non-residents of the district, and disqualified electors voted for you, the names of which said illegal voters I have not been able to ascertain, but claim that at the various precincts in said county

some three hundred illegal votes were polled for you, and were counted in your favor, which illegal votes should have been rejected.

I further contend, that at the election held in the county of Christian, in said district, and particularly at the Linden precinct for voting, in said county, very many illegal and fraudulent votes were polled for you, in number some one hundred and forty; that minors, non-residents of said district, and disqualified electors voted for you, the names of which said illegal voters I have not been able to ascertain, but which said illegal votes were wrongly counted in your favor.

I still further contend, that at the election held at the various voting precincts in the county of Webster, in said district, and particularly at the Marshfield voting precinct, many illegal and fraudulent votes were polled for you—in number some fifty; that minors, non-residents of the district, and unqualified electors voted for you, the names of which illegal votes I have not yet ascertained, but which were improperly counted in your favor.

I further contend, that at the election held at the various voting precincts in the county of Dade, in said district, and particularly at the Dadeville and Greenfield precincts of said county, many illegal votes were cast for you—some one hundred in number; that minors, non-residents, and unqualified electors voted for you, the names of which illegal voters I have not yet ascertained, but which should not have been counted for you.

I further contend, that at an election held by the various companies of the 8th regiment Missouri volunteer cavalry, on the said 8th of November, 1864, you obtained some three hundred votes by means of misrepresentations made to said voters, in this: it was represented to said voters that I was not a candidate for representative, and by such misrepresentation and fraud said voters were induced to vote for you, when, if no fraud had been practiced on them, they would have voted for me.

I further contend, that at an election held by the various companies of the 4th regiment of Missouri State militia cavalry, held on the said 8th day of November, 1864, you obtained some one hundred votes by illegal and fraudulent means, in this: it was falsely represented to said voters that I was not a candidate for representative, which false representation was believed by said voters and their votes were polled for you, when, had such representations not been made, said voters would have polled their votes for me.

I further claim, that at an election held in the county of Dallas, in said district, and at the Lewisburg precinct, many persons were kept from voting by reason of the polls being closed at 3 o'clock p. m., before the electors had cast their votes, by reason of which some fifty qualified electors were kept from voting for me.

Very truly, your obedient,

JOHN R. KELSO.

XIII.

To SEMPRONIUS H. BOYD:

SIR: Take notice, that on the 24th day of January, A. D. 1866, between the hours of 8 o'clock a. m. and 6 o'clock p. m., at the office of the probate and common pleas court, in the court-house (being the fourth room on the south side of the lower hall of said court-house) in the city of Springfield, county of Greene, State of Missouri, depositions of John R. Cox, Spry Owen, Cyrus Greenlee, John W. Lisenby, and John See, all residents of the city of Springfield, Greene county, Missouri, will be taken before Benjamin Kite, the mayor of the city of Springfield, State of Missouri, to be read in evidence in the matter

of the contest by you of my seat in the House of Representatives of the Congress of the United States, as representative from the fourth congressional district of the State of Missouri to the 39th Congress of the United States, and that the taking of said depositions, if not completed on that day, will be continued from day to day, at same place, before same officer, and between same hours, until completed.

JOHN R. KELSO,
By McAFEE & PHELPS, *Att'ys.*

JANUARY, 13, 1866.

I certify that I served the within notice by leaving a copy thereof in hands of within named Sempronius H. Boyd, on the 13th day of January, 1866.

J. A. PATTERSON, *Sheriff.*
By AVANAUS HOLLINGSWORTH,
Deputy Sheriff, Greene County, Missouri.

Executed the within by delivering a copy of same at the residence of S. H. Boyd, this, the 13th day of January, A. D. 1866.

A. HOLLINGSWORTH,
Deputy Sheriff.

Depositions of witnesses produced, sworn, and examined on the 24th day of January, 1866, between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon of that day, at the office of the probate and common pleas court, being the fourth room on the south side of the lower hall of said court-house, before me, Benjamin Kite, mayor of the city of Springfield, in the matter of the contest for seat in the House of Representatives of the United States from the fourth congressional district of Missouri to the thirty-ninth (39th) Congress of the United States:

Spry Owen, being duly sworn, deposes and says, that I am acquainted with Lieutenant J. H. Creighton.

Question. Did he belong to the army? If so, where, and in what capacity, and to what command?

Answer. Yes, he belonged to the army at the time of the election—the 8th day of November, 1864; he belonged to the 18th Iowa, as 1st lieutenant, and was on detached service as ordnance officer at the post at Springfield.

Question. Did you know Lieutenant Creighton's residence at the time he entered the army?

Answer. I can only say from hearsay—what Lieutenant Creighton said himself, "that he was from Iowa."

Question. Do you know of Lieutenant Creighton residing in this congressional district before he entered the army?

Answer. I never did.

Question. Do you know whether Lieutenant Creighton ever resided in this district before he came here as a member of the 18th Iowa infantry?

Answer. He never did, to my knowledge.

Question. Are you acquainted with T. J. Orr?

Answer. Yes.

Question. What do you know about his residence on the 8th day of November, 1864?

Answer. I do not know where he resided. I do not know where he resided previous to the 8th day of November.

Question. Do you know Captain William F. Orr?

Answer. Yes, sir.

Question. Were you acquainted in any manner with the residence of T. J. Orr, before referred to?

Answer. I was only acquainted so far as his own statements are concerned. He said he was a citizen of New York. (Answer objected to by S. H. Boyd's counsel, on the ground of its being hearsay.)

Question. Did he state at what time he was a resident of New York?

Answer. No, sir, he did not.

Question. When did he tell you he was a resident of New York?

Answer. It was since the election in 1864 he told me.

Question. How long since the election did he make this statement?

Answer. I think it was two months after the election.

Question. Had Mr. Orr remained in this district during the intervening time between the election and this declaration?

Answer. I do not know.

Question. Have you seen him about here frequently after the election up to the time of this declaration?

Answer. I had not.

Question. State whether you were acquainted with one Major A. B. Freeburn.

Answer. Yes, sir.

Question. Was he a resident of this district?

Answer. Not to my knowledge.

Question. Was he in the military service on the 8th of November, 1864?

Answer. Yes, sir.

Question. What regiment?

Answer. Second Arkansas cavalry.

Question. Do you know from the statements of Major Freeburn, or from your own knowledge, where he resided at the time of going into the military service?

Answer. I do not.

Question. Are you acquainted with one Otho Adkins?

Answer. I was acquainted with one Adkins, who clerked for Lieutenant Creighton in the ordnance office. He usually went by the name of Thomas Adkins, although I believe his name was Otho Adkins.

Question. Do you know his name was Otho Adkins?

Answer. I do not know it from my own knowledge, although I have heard his name was Otho Adkins. (Objected to by Mr. Boyd's attorney.)

Question. Was he in the military service at the time of the election, November 8, 1864?

Answer. Yes, sir; 2d Indiana battery.

Question. Do you know from your own knowledge, or his statements, where his residence was when he entered service?

Answer. I do not.

Question. Do you know where he went to after he went out of service?

Answer. No, sir.

Question. Are you acquainted with one Captain Fahenstock, (O. H.?)

Answer. Yes, sir; he belonged to the 2d Arkansas cavalry at the time of the election, November 8, 1864.

Question. Have you any knowledge where his residence was when he entered the service?

Answer. He belonged to the 2d Kansas cavalry before he went into the 2d Arkansas.

Question. Do you know from your own knowledge, or his statements, where his residence was when he entered the service?

Answer. His statements were that he was a citizen of Kansas when he entered the 2d Kansas cavalry.

Question. At the time he was commissioned as captain of the 2d Arkansas cavalry was he in the military service of the 2d Kansas cavalry?

Answer. He was.

Question. Were you acquainted with one Samuel Gants ?

Answer. Yes, sir; he was private, I believe, in the 18th Iowa, on detached service as clerk of the ordnance office, Springfield, Missouri.

Question. Do you know of your own knowledge, or from his statements, where he resided when he entered the service ?

Answer. Not from my own knowledge ; but from his statements he was a resident of the State of Iowa.

Question. Were you acquainted with one H. R. Creighton, (lieutenant ?)

Answer. I was ; he was lieutenant in the 2d Arkansas cavalry.

Question. Had he been in the military service previous to his going into the 2d Arkansas cavalry ?

Answer. Not to my knowledge.

Question. Did you hear him say ?

Answer. Yes, sir; I have forgotten whether he said he was in an Iowa or Ohio regiment; it was one of the two.

Question. Do you know from your own knowledge, or his statements, where he resided when he entered the service, or his place of residence on the 8th day of November, 1864 ?

Answer. I believe, from his statements, he resided in Ohio before he went into service ; he so stated. I do not know where he resided November 8, 1864.

Question. Was he in the military service on that day ?

Answer. Yes.

Question. State whether J. H. Creighton, T. J. Orr, A. B. Freeburn, H. R. Creighton, O. S. Fahenstock, Samuel Gants, and Otho Adkins voted at the election in November, 1864, for congressmen; and if so, where ?

Answer. They voted at Springfield, November, 1864.

Cross-examined :

I first saw Lieutenant J. H. Creighton in the fall of 1862. He was then with his regiment at Ozark, Missouri ; Ozark, Christian county, is in this congressional district.

Question. Have you been seeing Lieutenant Creighton continuously from that time to this ? If so, where ?

Answer. I have seen him at Springfield, Missouri, off and on, ever since.

Question. Have you ever seen him at any place out of this district ?

Answer. No, sir; I have never seen him at any place out of this district.

Question. Upon his discharge from service, where did Lieutenant Creighton reside, where does he reside now, and what is his occupation ?

Answer. He resided at Springfield ; resides there now ; his occupation is a lawyer.

Question. Do you know when Lieutenant Creighton was discharged ?

Answer. I do not know the exact time ; it was some time in 1865.

Question. Where did you come from when you came to southwest Missouri ?

Answer. From Kansas, in the spring of 1862. I was assistant wagon-master when I came here. I remained in that business until the spring of 1864.

Question. Were you stationed in the 4th congressional district during that time ?

Answer. My headquarters were here. Part of the time I was in the 4th congressional district ; part of the time I was with the army of the frontier.

Question. How do you know Lieutenant Creighton voted the 8th of November, 1864, at Springfield ?

Answer. I saw him hand in his ballot at the window.

Question. Did you vote at that election ?

Answer. I did.

Question. Where was your residence at the time you became assistant wagon-master? (Kelso's counsel objects to the question, because it is an examination in relation to new matter not brought out on examination-in-chief.)

Answer. My residence was St. Joseph, Missouri.

Question. Have you ever changed your residence since then?

Answer. I suppose so. I came to southwest Missouri, and have never removed away since. All the teamsters and wagon-masters were enrolled in Missouri State militia in this place.

Question. Have you stated within the last year you were, and considered yourself, a citizen of Kansas?

Answer. I have not. I was a citizen of Kansas in 1856, until I went to the Rocky mountains in 1858.

Question. When did you return from the Rocky mountains?

Answer. In the fall of 1861.

Question. Where were you employed as wagon-master?

Answer. In Springfield.

Question. Where as assistant wagon-master?

Answer. I hired at St. Joseph's in March, 1862, to go to Leavenworth.

Question. Who hired you?

Answer. A wagon-master by the name of Dillon.

Question. Do you know when T. J. Orr left New York?

Answer. No, sir; I do not.

Question. Do you know where T. J. Orr lived when he was discharged from service?

Answer. No, sir.

Question. Do you know where he lives now?

Answer. He lives in Springfield.

Question. Do you know about what time 2d Arkansas cavalry were mustered out of service?

Answer. No, sir, I do not.

Question. Do you know where Captain W. F. Orr resides?

Answer. He resides in Springfield now. I do not know where he did reside

Question. Might he not have resided in 4th congressional district or in Greene county and you not know it?

Answer. Yes, sir, he could.

Question. Do you know where Major Freeburn is living now?

Answer. No, sir, I do not.

Question. Do you know where he lived prior to November 8, 1864?

Answer. I do not.

Question. Do you know where Otho Adkins lived prior to his enlistment in the 2d Indiana battery?

Answer. No, sir, I do not.

Question. Do you know where he lives now?

Answer. I do not.

Question. Do you know where Captain O. H. Fahenstock lived prior to the rebellion?

Answer. I heard him say he lived in Kansas.

Question. Do you know where Fahenstock lives now?

Answer. I do not know where he lives now.

Question. Do you know where Gants lives now?

Answer. I am not certain where he lives—he is dead.

Question. Do you know where Lieut. H. R. Creighton lives now?

Answer. Yes, sir. He lives in Springfield, Missouri.

Question. Has he been living here since his discharge?

Answer. Yes, sir.

Question. Were not G. H. Creighton, T. J. Orr, A. B. Freeburn, H. R

Creighton, O. H. Fahenstock, Samuel Gants, Otho Adkins and H. R. Creighton living in the State of Missouri the 1st of November, 1863?

Answer. I was not acquainted with T. J. Orr. The others were residents of the district. I mean they were here as men in the service of the United States.

Question. Were they here continuously from that time to November 8, 1864?

Answer. I cannot answer that; part of them were here—part were not.

Question. Are you acquainted with James F. Mays; and if so, were you acquainted with him in the fall of 1864?

Answer. I was.

Question. What was he engaged in at that time?

(Objected to by attorney for Kelso because irrelevant and not responsive to the examination in chief. Waived.)

Question. Did you ever hear Samuel Gance state that he was engaged with Colonel Moore, of northeast Missouri, as a home guard in the summer of 1861?

Answer. I have.

Question. Did he say that he was a resident of that State, Missouri?

Answer. No, sir; I do not think he did.

Question. Where was H. R. Creighton residing when he went into the 2d Arkansas cavalry?

Answer. I understood him to say he resided or was a native of Ohio.

Re-examined:

Question. Was J. H. Creighton, T. J. Orr, Major A. B. Freeburn, H. R. Creighton, O. S. Fahenstock, Samuel Gants, and Otho Adkins living at Springfield in any other way than as soldiers in the federal army on the 8th day of November, 1864?

Answer. I cannot say as to T. J. Orr, as I was not acquainted with him. The others were in Springfield only as soldiers in the army.

SPRY OWEN.

Subscribed and sworn to before me on the day, at the place, and within the hours aforesaid.

BENJAMIN KITE, *Mayor.*

S. H. Boyd's counsel now proposes to examine Spry Owen in relation to other illegal votes cast at Springfield, Missouri.

Objected to by Kelso's counsel on ground that they must examine only as to such matters brought out on examination in chief.

Objection sustained by mayor.

John R. Cox, of lawful age, being duly sworn, on his oath says:

Question. Are you acquainted with one D. C. Ruff?

Answer. I know a D. C. Ruff who was captain in 46th Missouri infantry volunteers. I do not know the letter of his company; think it was A or F.

Question. Can you state where he resided?

Answer. He resided, previous to the war, in Circy county, Arkansas. He came here in 1863. He was on detached service, he said, in provost marshal's office, and belonged to 1st Arkansas cavalry, Colonel Harrison's regiment.

Question. Where does he now reside?

Answer. I think he lives about Gad Fly, in Barry county.

Question. Do you know whether he came here in the military service, and so remained in the service up to 8th November, 1864?

Answer. He came in 1863 to this place, and was in the military service from that time until 1865.

(Counsel for Boyd objected to any statements of Ruff to witness.)

Question. Did he say anything to you about going back to Arkansas?

Answer. He said he intended to go back to his farm in Arkansas so soon as it should be safe.

Question. Do you know Albert Dugger, G. Reves, T. W. Carterson, W. M. Nelson, D. G. Adams, W. F. Fisher, A. Hudson, and J. C. Phillips?

Answer. I know them. I cannot say that I know all their given names; am well acquainted with Dugger, Nelson, and Fisher, and somewhat acquainted with the other persons; know that they are all Arkansas men, and resided in Marion, Newton, and Circy counties, Arkansas. I saw Nelson, Dugger, and Fisher here the first time in January, 1864.

Question. Do you know how long they remained in this State?

Answer. Dugger went back to Arkansas in fall of 1865. I do not know whether the others have moved back or not.

Question. Were any of them residents of this State on 8th day of November, 1864?

Answer. I do not know, further than that Dugger, Nelson, and Fisher came out of Arkansas in January or February, 1864?

Question. Do you know S. P. Hughes?

Answer. Yes, sir; I know an Arkansas man by that name.

Question. When did he come to this State?

Answer. Some time in the spring of 1864.

Question. Do you know Wm. Burtram?

Answer. Yes, sir.

Question. When did he come to this State, and where from?

Answer. He came in 1862 or spring of 1863, from Arkansas.

Question. Has he resided in this State since?

Answer. Yes.

Question. Do you know J. T. Braine?

Answer. Yes.

Question. When did he come to this State, and where from?

Answer. He came from Arkansas in the spring of 1864.

Question. Do you know whether he is here now or not?

Answer. I do not.

Question. Do you know William G. Grey?

Answer. Yes.

Question. When did he come here and where from?

Answer. He came here from the State of Arkansas, in January or February, 1864.

Question. Do you know where he is now?

Answer. If it be the same Grey I am thinking about, he lives in this county yet.

Question. Do you know P. W. Rudd?

Answer. Yes, I know him.

Question. Where did he come from?

Answer. He came from Washington county, Arkansas, some time in 1863 or 1864.

Question. Do you know John T. Giboney?

Answer. Yes, I do.

Question. What age is he?

Answer. Of my knowledge, I do not know.

Question. Do you know John C. Rodgers?

Answer. I do know a man of that name who belonged to the 8th Missouri State militia cavalry, and who resided in Buchanan county, as he told me, previous to joining the regiment; he left here to be discharged from the regiment, and went to St. Louis.

Question. Did he reside in this congressional district, as a citizen?

Answer. He was in the military service at the time I knew him and during

the whole time I knew him, and may have been here with his regiment more than a year previous to the leaving of the regiment to be mustered out.

Question. Do you know one James Murdock?

Answer. Yes, I knew a man by that name, who was in government service and had charge of the government scales. I do not know from whence he came or where he went.

Question. Was he a resident of this district?

Answer. I do not know further than that he was in the government employ, and do not know how long he had been here; I knew of his being here during something like a year—the latter part of 1864, and spring of 1865.

Question. Did he leave this place at the time the quartermaster's office was removed from here?

Answer. I think he left with the quartermaster's outfit; I missed him about that time.

Question. Do you know where his place of residence was?

Answer. I do not.

Question. Do you know one George Reed?

Answer. I do; he came from Washington county, Arkansas, (the Reed I knew,) in the latter part of 1864 or the early part of 1865.

Question. Do you know where he is now?

Answer. Either in Washington county, Arkansas, or in Dallas county, Missouri.

Question. Had he ever resided in this State previous to coming here when you speak of?

Answer. No.

Question. Do you know E. Davenport?

Answer. Yes, I know him; was a barber; came here from Arkansas in 1862, and continued to reside here for some eight or ten months, and then removed from here going towards St. Louis; he said he went to Indiana, taking his family with him. He afterwards came back here during the summer or fall of 1864, and remained up to March, 1865, when he removed from here; said he was going to Illinois.

Question. Do you know one John Leadford?

Answer. Yes, I knew a John Leadford; the person I refer to was in the service as a government scout. He was not a resident of this country, as I know of; he was a resident of Arkansas when I first knew him, in 1859 or 1860; and I saw him here in the government employ as a scout.

Question. When did you first see him here?

Answer. Some time in the fall of 1864 or early part of 1865; never had any conversation with him.

Question. Do you know one W. F. Woolsey?

Answer. I do; he came from Benton county, Arkansas, to this State in January, 1864; remained about a month, and went to Kansas; came back in fall of 1864; staid here until February or March, 1865, and left this part of the country.

Question. Do you know Joseph Wilkins?

Answer. Yes; he came from Benton county, Arkansas, in January or February, 1864. He was a resident of Arkansas up to January, 1864; was here in this county about a year, then removed north.

Cross-examined:

The first time I saw Mr. Ruff was in 1863; do not know when he came out of Arkansas; do not know whether he had his family with him or not. I do not know of my own knowledge when Nelson, Dugger, and Fisher came from Arkansas. Dugger had a family with him; do not know whether Nelson or Fisher had families or not. I do not know W. M. Nelson by that name. I do not

know whether William Bertram had a family or not; my impression is that he is a single man. I know that S. P. Hughes came from Arkansas here in January of February, 1864, only from what he told me; he told me he came at that time P. W. Rud I saw here first in 1863; was a married man; had his family with him. Do not know where John C. Rodgers lives now; he told me he was going back to Buchanan county, where he lived. I do not know whether James Murdock lives in this congressional district or not at this time; lost sight of him when quartermaster's office was broken up here. If I know any George Reed at all, I know but one. The George Reed I knew came from Arkansas and went to Dallas county, this State, and afterwards went from there back to Arkansas.

E. Davenport came from Arkansas in January, 1863, and had his family with him during the time he lived here.

John Leadford was an Arkansas man; last saw him in that State in the year 1859 or 1860. Do not know when he left Arkansas.

The reason why I know that W. F. Wolsey came from Arkansas in January, 1864, was, I saw him get out of a government train loaded with refugees from Arkansas. Joseph Wilkins came at the same time and in the same train with W. F. Woolsey. I do not know of my own knowledge that they came direct from Arkansas. I only know what they told me. They told me they did.

JOHN R. COX.

Sworn to and subscribed before me this 24th day of January, 1866.

BENJAMIN KITE, *Mayor.*

Not being able to complete the taking of said depositions because of the lack of time on this day, I adjourn the further taking of the same till to-morrow, then to be continued at the same place and between the same hours mentioned in the annexed notice.

BENJAMIN KITE, *Mayor.*

Pursuant to adjournment as above stated, on the 25th day of January, 1866, between the hours of 8 o'clock a. m. and 6 o'clock p. m., at same place, I continued the taking of said depositions.

Cyrus Greenlee, of lawful age, being duly sworn, on his oath says that he was a member of the 8th regiment volunteer cavalry, Missouri, on the 8th day of November, 1864.

Question. Were you acquainted with one Wm. S. Brown, that belonged to that regiment?

Answer. I was not familiarly acquainted with him. I knew him by sight was about all.

Question. Did you know his place of residence at the time he joined the regiment?

Answer. He lived in Greene county, Missouri.

Question. Do you know one Robert Thoman, who belonged to that regiment?

Answer. No, sir; I did not know him.

Question. Did you know Calvin Row, who belonged to that regiment?

Answer. Yes; I knew him.

Question. How old was he on 8th day of November, 1864?

Answer. I could not say exactly; he was some twenty years old.

Question. Are you satisfied that he was under twenty-one years of age on 8th November, 1864?

Answer. I cannot be positive. My recollection is, that at that time he was under twenty-one years of age.

Question. Did you know Robert Thomas, of the said regiment?

Answer. Yes; I knew him.

Question. What was his age on the 8th day of November, 1864?

Answer. I do not know what his age was at that time.

Question. Do you know one G. W. Green, that belonged to the 8th regiment Missouri volunteer cavalry?

Answer. Yes; I know him.

Question. Do you know what his age was on the 8th day of November, 1864?

Answer. His age at that time was twenty years.

Question. Were you acquainted with one John S. Matlock, of that regiment?

Answer. Yes, sir.

Question. Do you knew what his age was on 8th day of November, 1864?

Answer. I do not.

Question. Were you acquainted with Ransom D. Breedlove, of that regiment?

Answer. Yes.

Question. Do you know what his age was on 8th day of November, 1864?

Answer. To the best of my recollection he was twenty years of age at that time.

Question. Were you acquainted with one Gustavus H. Bigbee, of that regiment?

Answer. Yes, sir.

Question. What was his age, if you know, on 8th November, 1864?

Answer. I do not know exactly; never heard him say.

Question. Were you acquainted with one D. C. Shelton, of that regiment?

Answer. Yes.

Question. What was his age on the 8th day of November, 1864, if you know?

Answer. He was twenty years old.

Question. Were you acquainted with John Rodgers, of the eighth regiment?

Answer. Yes.

Question. Were you acquainted with his age on 8th November, 1864?

Answer. No; I was not.

Question Were you acquainted with Henry Phillips, of the said regiment?

Answer. Yes; I was.

Question. Did you know his age on 8th November, 1864?

Answer. I could not say, positively, but think he was between nineteen and twenty years old at that time.

Question. Were you acquainted with Tilmon P. Clark, of that regiment?

Answer. Yes.

Question. Were you acquainted with his age on 8th November, 1864?

Answer. I do not know that I could state positively his age; my recollection is that he was twenty at that time.

Question. Were you acquainted with one Samuel C. Davis, of said regiment?

Answer. Yes.

Question. Do you know what his age was on 8th November, 1864?

Answer. His age was nineteen years at that time, as near as I can recollect.

Question. Were you acquainted with A. D. Henslee, Wm. P. Camp, and Wm. J. Rodgers, of that regiment?

Answer. Yes.

Question. Are you acquainted with their ages?

Answer. I am not.

Question. Did you know one John S. Lewis, who belonged to the 8th Missouri regiment volunteer cavalry?

Answer. No; I was not acquainted with John S. Lewis.

Question. Was there such a person in that regiment on 8th November, 1864?

Answer. There was not.

Question. What position in the regiment did you occupy?

Answer. Regimental commissary.

Question. Did you have occasion frequently to examine the roll of the regiment, and frequently see the members of the regiment at roll-call?

Answer. Yes, sir.

Question. Was there such a name on the roll of the regiment as John S. Lewis?

Answer. Yes, sir; I think there was.

Question. Who answered to the name of John S. Lewis?

Answer. His son, Perry Lewis.

Question. Were you present on the 8th day of November, 1864, when the regiment voted?

Answer. Yes, sir.

Question. Was John S. Lewis there?

Answer. No, sir.

Question. Was his son, Perry Lewis, there?

Answer. Yes; I think he was.

Question. Can you state whether Perry Lewis voted or not?

Answer. I cannot.

Question. Can you state positively that there was no such man in the regiment on 8th November, 1864, as John S. Lewis?

Answer. No; I cannot say positively whether there was or not. Perry Lewis, on that day, was serving in the regiment in his father's (John S. Lewis) place.

Question. What source did you learn the ages of the persons you have heretofore spoken of?

Answer. From their talk and conversation.

Cross-examined:

The only name on the consolidated report is the name of the commander of the regiment. I did not know Calvin Row before he entered the service; I first got acquainted with him in 1862; I never heard Calvin Row say how old he was; I have seen his descriptive roll; I can't say what his age is on that roll. The reason I believe Row was only twenty years of age is because I have heard others say so. I do not know of my own knowledge what his age was, nor do I know from hearing him say.

I first became acquainted with G. W. Green in 1862; it was after he entered the 8th Missouri cavalry I knew him. I never heard G. W. Green say how old he was. I do not know of my own knowledge how old he was on the 8th November, 1864; I judge he was about twenty (20) years old from his looks.

I first got acquainted with Ransom Breedlove in 1861; he was then in home guard service. I never heard Breedlove say how old he was. I do not know, of my own knowledge, how old he was. I believe he was only twenty years old, from what his brother said.

I first got acquainted with D. C. Shelton in 1863; he was then a member of the 8th Missouri cavalry. I do not know, of my own knowledge, how old Shelton was. I never heard Shelton say how old he was.

I first got acquainted with John Rogers in 1862; he was then a member of the 8th Missouri cavalry. I do not know his age.

I first got acquainted with Henry Philips in 1860. I never heard Philips say how old he was. I do not know, of my own knowledge, how old he was.

I first got acquainted with T. P. Clark in 1862; he belonged to the 8th Missouri cavalry. I never heard Clark say how old he was. I do not know, of my own knowledge, how old he was. I judge from his being a minor when he enlisted.

I first got acquainted with Samuel C. Davis in 1864. I never heard Davis say how old he was. I do not know, of my own knowledge, how old he was.

I do not know the names of all the men in the 8th Missouri cavalry. I do not know the names of all the men in any one company of the 8th Missouri cavalry. I did not know John S. Lewis, of Greene county; I did not know

Perry Lewis's father. Perry Lewis answered to name of John S. Lewis. I do not know how old Perry Lewis was.

C. GREENLEE.

Re-examined:

Question. Was there such a name as Lewis on the roll of the 8th regiment Missouri volunteer cavalry; if so, what was the given name?

Answer. There was but one man by the name of Lewis in the regiment that I know of. When the company lettered "D" was first organized, J. S. Lewis was on the roll of the company as a member of said company. I do not know whether the name was John or James Lewis. I think it was stated on the roll as "J. S. Lewis." Afterwards the son, as I understood, of J. S. Lewis, was doing service, and I understood had taken the place of J. S. Lewis in the company.

C GREENLEE.

Subscribed and sworn to before me on the day, at the place, and within the hours aforesaid.

BENJAMIN KITE, *Mayor.*

John R. Cox, of lawful age, being duly sworn, being recalled, on his oath says:

Question. Are you acquainted with one J. S. Lewis, of Greene county, Missouri?

Answer. Yes.

Question. Were you in Springfield, Missouri, on the 8th of November, 1864, during the progress of the election on that day?

Answer. Yes.

Question. Did you see J. S. Lewis in Springfield on that day?

Answer. I think I saw James S. Lewis on that day; am quite certain I did.

Question. Did he at any time say anything about his having enlisted in 8th Missouri regiment cavalry volunteers?

Answer. He told me in the fall of 1864, he belonged to that regiment. He showed me a certificate from the colonel of the 8th Missouri cavalry volunteers, to the effect that his son was filling his place in the regiment as a substitute.

(Objected to by counsel for Boyd.)

Question. Do you know Joseph Cowen?

Answer. I knew a man of that name who lived in Benton county, Arkansas.

Question. Do you know where he lives now?

Answer. I think he has gone back to Arkansas.

Question. Do you know when he left Arkansas to come to Missouri?

Answer. I do not; I first saw him here in the spring of the year 1864.

Question. Do you know whether he considered himself a resident of Arkansas or Missouri?

Answer. I do not.

Question. Do you know J. J. McGuire?

Answer. I know such a man here.

Question. Do you know where his residence was?

Answer. He told me he came from Iowa in an Iowa regiment, and I have lately received a letter from him in Iowa.

Question. Do you know John C. Cowan?

Answer. Yes; he came from Benton county, Arkansas.

Question. Do you know when he left Arkansas?

Answer. I do not; I first saw him in the spring of 1864.

Question. Do you know where John C. Cowan is now?

Answer. I do not; my understanding is that they have all gone back.

Question. Are you satisfied that Joseph and John C. Cowan are the same men you knew in Arkansas?

Answer. I think they are.

Question. Do you know William P. Holt?

Answer. I knew such a person in Carroll county, Arkansas; I first saw him here in spring of 1863; he told me he was direct from Arkansas; said he had served two years in legislature (rebel) of Arkansas, since I (witness) left there.

Question. Do you know where William P. Holt is now?

Answer. He has gone back to Arkansas.

Question. Do you know one James F. Hopper?

Answer. I know a James Hopper, and think there is an F in his name.

Question. Do you know where he resides?

Answer. The one I speak of lived in Carroll county, Arkansas.

Question. Do you know when he left Arkansas?

Answer. I saw him first here in 1864; he told me then he was direct from Arkansas.

Question. Do you know where he lives now?

Answer. I saw him some little time since; he told me he was going back to Arkansas; I think he has gone back.

Question. Do you know William Tabor?

Answer. I know a man by that name, a Carroll county man.

Question. When did he leave Arkansas?

Answer. I first saw him here the winter of 1864, about the time the Hoppers came; a government train brought a lot of them out.

Question. Do you know where he lives now?

Answer. I think he lives near the Wilson's Creek battle-ground.

Question. Do you know J. T. Nelson?

Answer. I know two Nelsons. I think one of them is that name.

Question. Where was he from?

Answer. Arkansas.

Question. When did he leave Arkansas?

Answer. I first saw him here in 1863 or 1864; probably 1864. He told me he had been lying in the mountains of Arkansas until then, when he got out.

Question. Did he say anything about going back?

Answer. I do not remember; it strikes me he has gone back.

Question. Do you know J. C. Spindle?

Answer. I know a John Spindle.

Question. Where is he from?

Answer. Arkansas.

Question. When did he come to this country?

Answer. In the winter or spring of 1864.

Question. Do you know of his going back?

Answer. I do not know, of my own knowledge. I am informed and believe he has gone back.

Question. Do you know S. D. F. D. Scote?

Answer. I knew a Scote of the same initials, I think, in Madison county, Arkansas; he came out in 1864.

Question. Do you know Wm. G. Maddux?

Answer. I knew Wm. Maddux; he lived in Arkansas; came out from there in 1864.

Question. Do you know A. M. Crage?

Answer. I do; he is from Franklin county, Arkansas; he belonged to the 2d Arkansas cavalry, and was at this place on detached service; he had no family that I knew of; I saw him the other day; do not know whether he has gone back or not.

Question. Do you know of any illegal votes cast at Springfield, November

8, 1864, or of persons illegally voting for any candidates at that time? If so, state what you know about it.

Answer. I gave tickets to seventeen men who said they lived in Hickory and Benton counties; I informed them they could not vote for Congress here; they said they intended to do it; I followed them out and up to the window, and they did vote.

Question. Whose name was on the tickets as candidates for Congress that those seventeen men voted for?

Answer. John R. Kelso's name. I told them I had tickets of both kinds; they said they wanted Kelso tickets; that they belonged to his regiment, and were going to vote for him; I gave them tickets with Kelso's name on for Congress, and they voted them.

Re-examined by counsel for Kelso:

Question. Do you know that John C. Cowan, J. J. McGuire, Joseph Cowan, William P. Holt, James F. Hopper, William Tabor, J. T. Nelson, J. C. Spindle, S. D. F. D. Scote, William Maddux, and A. M. Crage voted at the election held for Congress November 8, 1864, in this county?

Answer. I do not know if any did, except Hopper; I think he did.

Question. Do you know how long those persons mentioned were in the State previous to that election?

Answer. I think they came out the last of 1863 or first of 1864. My impression is it was the first of 1864.

Question. Did you see them on their way from Arkansas to Missouri?

Answer. No.

Question. Did all those seventeen men tell you they lived in Hickory and Benton counties?

Answer. They did; I told them they could not vote for Congress.

Question. Do you know their names?

Answer. I do not.

Question. Did you see them vote?

Answer. I saw them form a circle around the window where they were voting, and saw a good many of them put in their votes.

Question. Did you see their ballots deposited?

Answer. I saw a good many of them—probably a third—before I left.

Question. Do you know whether any of those votes were rejected or not?

Answer. None of those I saw were rejected.

Question. Do you know what action the judges of election took on those votes?

Answer. I heard no objections while I was there; don't know what was done afterwards.

Question. Have you any knowledge whether those votes were counted by the judges of election or not?

Answer. I don't know; heard no objection while I was there.

JOHN R. COX.

Subscribed and sworn to before me on the day, at the place, and within the hours aforesaid.

BENJAMIN KITE, *Mayor.*

John W. Lisenby, of lawful age, being duly sworn, on his oath says:

Question. Were you ever connected with any regiment in the military, and if so, what regiment, and in what capacity?

Answer. I was lieutenant colonel of 8th regiment Missouri volunteer cavalry, in the United States service.

Question. Was one Alexander D. Henslee a member of said regiment?

Answer. I know no man of that name.

Question. Have you in your possession any record or book by which you

can refresh your memory as to the names of persons who belonged to said regiment?

Answer. I have none, except the book I got from you, (counsel for Kelso.)

Question. What book or record is it, and by whom and for what purpose kept?

Answer. This purports to be the regimental descriptive book, and was made by the adjutant of the regiment, and kept for the purpose of noting down the ages and general description of the men of the regiment; the date of the enlistment, the place of enlistment, and by whom enlisted.

Question. Have you ever seen that record before to-day?

Answer. I am not sure whether I have or not. There was a record made which was incorrect, and another made in its stead. How this comes to be here I do not know. This may be the incorrect one.

Question. By whose authority was this record kept?

Answer. It was kept by authority of the adjutant general of the United States army.

Question. Can you tell, by referring to the record you hold, whether Alexander D. Henslee was a member of 8th regiment Missouri volunteer cavalry?

(Counsel for Boyd objects to witness using record to testify from, because no foundation is laid that this is a correct roster of the regiment, and no evidence as to who has had the custody of the book.)

Answer. I think, from reference to the record, that he was. He was enlisted March 19, 1863. The record of his enlistment, as shown by the book in my hand, shows that he was eighteen years old at the time of enlistment.

Question. By reference to the record you hold in your hand, can you tell whether Charles T. Reese was a member of said regiment?

Answer. The record shows that he was, and enlisted December 15, 1863, and at that time was eighteen years of age.

Question. By reference to the record you hold in your hand, can you tell whether William J. Bridges was a member of said regiment?

Answer. The record shows that he was, and enlisted August 28, 1862, and eighteen years old at that time.

Question. By referring to the record you speak of, can you say whether James Lewis was a member of said regiment?

Answer. The record says that he was, and was enlisted August 23, 1862, and eighteen years old at the time of enlistment.

Question. By referring to the record, can you say whether Lewis McMellon was a member of said regiment?

Answer. The record shows that he was a member of the regiment, enlisted September 29, 1862, and of the age of eighteen years at the time of enlistment.

Question. By referring to the record, can you say whether Nathaniel Curry was a member of said regiment?

Answer. The record shows that he was a member of the regiment, enlisted October 11, 1862, and of the age of eighteen years at the time of his enlistment.

Question. By referring to the record, can you say whether Orin B. Wilson was a member of said regiment?

Answer. This record shows that he was a member of the regiment, enlisted November 12, 1862, and of the age of eighteen years at the time of enlistment.

Question. Were you acquainted with one I. N. Jones; and if so, did he belong to said regiment?

Answer. I was acquainted with one Isaac N. Jones, and he belonged to said regiment.

Question. What was his place of abode previous to enlisting in said regiment?

Answer. I do not know where his place of residence was; the record shows that he was enlisted in Salem, Missouri, in Dent county.

Question. By referring to the said record, can you say whether G. R. Strickler was a member of said regiment?

Answer. The record shows that he was a member of the regiment, enlisted March 1, 1864, and at the time of his enlistment was of the age of eighteen years.

Question. By referring to the said record can you say whether Gustavus H. Bigbee was a member of said regiment?

Answer. The record shows him to have been a member of said regiment, enlisted August 9, 1862, and seventeen years of age at the time of enlistment.

Question. Do you, of your own knowledge, know the age of G. R. Strickler?

Answer. I do not; nor did Strickland either.

Question. How do you know Strickland did not know his own age?

Answer. I had his word for it that he did not know his own age.

Question. What would you judge his age to be from his appearance?

(Objected to because witness not shown to be an expert, and question calls for opinion.)

Answer. I should guess it to be about eighteen years.

Question. By reference to the said record can you say whether one Isaac L. Blades was a member of said regiment?

Answer. He was enlisted on July 18, 1862, of the age of eighteen years at the time of enlistment.

Question. By reference to the record you hold in your hand, can you tell whether Ransom D. Breedlove was a member of said regiment?

Answer. He was; enlisted August 13, 1862; aged at that time eighteen years.

Question. Do you know Jno. B. Coffee?

Answer. I do.

Question. Was he a member of the eighth Missouri regiment?

Answer. He was.

Question. Can you tell, from the record of the regiment you hold in your hand, the time when said Jno. B. Coffee ceased to be a member of the regiment?

Answer. This book shows that he resigned October 22, 1864.

Question. Can you tell from said record whether Julius G. Wells belonged to said regiment?

Answer. I find his name on the book, but the record is not complete in his case; it shows when he was enlisted, but not where, nor by whom.

Question. By reference to the aforesaid record, can you tell whether James Wilson was a member of said regiment?

Answer. He was; enlisted July 3, 1862; aged eighteen years at that time.

Question. By reference to said record can you tell whether said James Wilson was dead or alive on November 8, 1864?

Answer. He was dead.

Question. By reference as aforesaid, can you tell as to whether Henry Phillips was a member of said regiment?

Answer. He was; enlisted July 6, 1862; then aged eighteen years.

Not being able to complete the taking of said depositions because of the lack of time on this day, I adjourn the further taking of the same till to-morrow, then to be continued at the same place and between the same hours mentioned in the annexed notice.

BENJAMIN KITE, *Mayor.*

Pursuant to adjournment as above stated, on the 26th day of January, 1866, between the hours of eight o'clock in the forenoon and six o'clock in the afternoon, at the place aforesaid, I continued the taking of said depositions as follows, viz:

John W. Lisenby, in continuation of his deposition commenced on yesterday, on his oath further says:

Question. By reference to the record which you had on yesterday, can you tell whether Joseph R. Camp was a member of the 8th regiment Missouri cavalry volunteers?

Answer. Yes, sir, he was, and was enlisted July 5, 1862, and eighteen years of age at that time.

Question. By referring to said record, can you say whether one R. D. Smith was a member of said regiment?

Answer. Yes, sir, he was, and was enlisted July 5, 1862, and was of the age of eighteen years at time of enlistment.

Question. By referring to said record, can you say whether one Jerry C. D. Lancy was a member of said regiment?

Answer. Yes, sir, he was, and enlisted in said regiment on July 1, 1862, and of the age of sixteen years at time of enlistment.

Question. By referring to said record, can you say whether G. W. Mawbry was a member of said regiment?

Answer. Yes, sir, he was a member of said regiment, and was enlisted in said regiment July 30, 1862, and was of the age of eighteen years at the time of enlistment.

Question. By referring to the said record, can you say whether G. W. Green was a member of said regiment?

Answer. He was a member of said regiment, and enlisted on July 8, 1862, and at time of enlistment was of the age of eighteen years.

Question. By reference to said record, can you say whether Joseph Garrison was a member of said regiment?

Answer. Yes, he was a member of the regiment, and was enlisted July 2, 1862, and at the time of his enlistment into said regiment was of the age of eighteen years.

Question. By referring to the said record, can you say whether Wm. D. Reynolds was a member of said regiment?

Answer. Yes, sir, he was a member of the regiment, and was enlisted July 28, 1862, and at the time of enlistment was of the age of eighteen years.

Question. By reference to said record can you say whether J. P. C. Langston was a member of said regiment?

Answer. Yes, sir, J. P. C. Langston was a member of said regiment, and was enlisted on July 7, 1862, and at the time of his enlistment was of the age of eighteen years.

Question. Do you hold any office in the county of Greene, Missouri; and if so, what office?

Answer. Yes, I am clerk of the county court, and also of the probate and common pleas court of said county.

Question. What county officer is the returns and poll-books of elections in said county returned to?

Answer. To the clerk of the county court.

Question. Have you in your custody, as clerk of said county court, the poll-books of the vote given by the 8th regiment of Missouri volunteer cavalry in the election held on the 8th day of November, 1864, for member to lower house of the Congress of the United States from fourth congressional district?

Answer. I have.

Question. By referring to the record or roll of said regiment, heretofore mentioned, can you say whether Willis M. Seaton was a member of said regiment?

Answer. I find the name of Willis N. Seaton on the book, and he was enlisted in said regiment on 27th March, 1863, and was of the age of eighteen years at time of enlistment.

Question. Do the poll-books of the vote given by the 8th regiment Missouri volunteer cavalry show who voted in the election for congressman of fourth con-

gressional district of Missouri, and for whom they voted on the said 8th of November, 1864?

Answer. They do.

Question. Do the poll-books show whether or not J. P. C. Langston, Wm. D. Reynolds, Joseph Garrison, G. W. Green, G. W. Mawbry, Jerry C. D. Lancy, R. D. Smith, Joseph R. Camp, James Wilson, John B. Coffee, Ransom D. Breedlove, Henry Phillips, Isaac L. Blades, Gustavus H. Bigbee, G. R. Strickler, Isaac N. Jones, Orrin B. Wilson, Nathaniel Curry, Lewis McMillen, Wm. J. Bridges, Charles T. Reese, Alexander D. Henslee, and Willis M. Seaton voted in said election for member of Congress (39th) from 4th congressional district of Missouri; and if so, for whom they voted?

Answer. The said poll-books show that those persons all voted for a representative from the 4th congressional district of Missouri to the Congress of the United States, at an election held on the 8th day of November, 1864; and the poll-books further show that all of the said persons voted for S. H. Boyd, except Joseph Garrison, who voted for John R. Kelso, candidates for Congress.

Cross-examined by Boyd's counsel:

Question. Were you with the 8th Missouri cavalry when they were mustered out of service?

Answer. No, I was not.

Question. Were you with that regiment on the 8th day of November, 1864?

Answer. I was not.

Question. What disposition is made of company and regimental descriptive books, when such companies and regiments are mustered out of service?

Answer. They are returned to the adjutant general's office of the State to which such regiments belong; at least I think such is the law.

Question. Do you know what became of the regimental descriptive book of the 8th Missouri cavalry volunteers?

Answer. I do not know of my own knowledge. I heard the colonel of the regiment say it was returned to the adjutant general's office.

Question. Do you know how the men of the 8th Missouri cavalry were enlisted—whether on enlistment papers, or how?

Answer. The men's names were put on a roll, and they were sworn in that way; there were no papers made out.

Question. Was anything but their names put down on the roll of which you speak?

Answer. Yes, sir; but I am not prepared to say what else.

Question. From what was the regimental descriptive book returned to the adjutant general's office made out?

Answer. It was made out from the company descriptive books.

Question. Where and when did you see the book now in your hands—the book purporting to be a regimental descriptive book?

Answer. I think I first saw it in the office of the regimental adjutant.

Question. Was it regarded as being a correct descriptive roll book of your regiment?

Answer. I think not.

Question. From what source do you now get this book?

Answer. I got the book off my table in the county clerk's office; how it came there I do not know. I found it there yesterday morning.

Question. Have you had the custody of that book; if so, since when?

Answer. I have not had the custody at any time.

Question. What was the custom in taking down the ages of recruits? Did you put down the months?

Answer. No, sir.

Question. If a man wanted a day of being nineteen, twenty, or twenty-one years old, how did you put him down on your descriptive roll book?

Answer. The custom was to put down the years he had actually attained. If he was eighteen, we put him down at that, although he might be several months older than that.

Question. Was your custom to put down or enter a man's age as of the preceding anniversary of his last birth-day?

Answer. Yes, sir, it was.

Question. If a man had not fully attained the age of nineteen at the date of enlistment, you put him down as eighteen?

Answer. That was our custom.

Question. You speak of James Wilson voting; how many James Wilsons were there in your regiment on the 8th day of November, 1864?

Answer. I do not know.

Question. Was not the James Wilson of whom you testify dead on the 8th day of November, 1864?

Answer. I do not remember.

Question. Do you know the names or persons of any of the men of whom you have testified, so far as your own knowledge is concerned?

Answer. I do of some of them.

Question. State whom you know.

Answer. I know J. C. P. Langston, William D. Reynolds, G. W. Green, John B. Coffey, Ransom D. Breedlove, Henry Philips, Isaac L. Blades, Gustavus H. Bigbee, G. R. Strickler, Isaac N. Jones, William J. Bridges. I do not know the balance.

Question. Do you know how old John B. Coffey was?

Answer. I do not.

Question. Had he been a lieutenant?

Answer. No, sir; he was captain at the organization of the regiment.

Question. Do you know how old Isaac L. Blades was?

Answer. I do not.

Question. Do you know whether John B. Coffey had received notice that his resignation was accepted at the date of election, or whether he was on duty on the 8th day of November, 1864?

Answer. I do not know; never heard him say.

Question. Do you know how old I. N. Jones is?

Answer. I have known him since September, 1862.

Question. How old does he appear to be?

Answer. I should think he was twenty-five.

Question. Do you know the ages of any of the men of whom you have testified?

Answer. I do not.

Question. Did you ever hear them say what their ages were?

Answer. I do not remember whether I ever did or not.

Question. Do the poll-books show that Coffey was on duty on the 8th day of November, 1864, with the 8th Missouri cavalry?

Answer. Yes, sir; it shows he was in command of company F, 8th Missouri volunteer cavalry.

Re-examined:

Question. Have you in your control, as clerk of the county court, the poll-book of an election held by a detachment of the eighth cavalry regiment of Missouri volunteers on the 8th day of November, 1864, for congressman from fourth congressional district of Missouri?

Answer. I have.

Question. Does said poll-book show the names of any voters who cast their

votes for John R. Kelso? If so, give the names of such persons who voted for Kelso.

Answer. Yes, sir, it does: William Garrison, James H. Garrison, John J. See, and Joseph Garrison, are shown by the poll-book to have voted for John R. Kelso.

Question. By the certificate of the judges of said election, are any votes returned in favor of said John R. Kelso, or any statement in their certificate showing that John R. Kelso received any votes from said detachment?

Answer. The certificate shows no votes were given for Kelso at said election.

Question. Do you know where Isaac N. Jones went to after discharge from the said regiment?

Answer. After his discharge as lieutenant, he went to Illinois. I have no knowledge where he is now.

Question. Were you acquainted with one John W. Wiggins?

Answer. Yes, sir; he belonged to the 8th regiment of Missouri volunteer cavalry.

Question. Were you acquainted with the place of his residence on the 8th day of November, 1864?

Answer. I was not; I never heard him say where he resided.

Question. Do you know where Mr. Wiggins resides now?

Answer. I do not. I think he resides in Ohio.

Question. Can you say whether he was or was not a resident of this congressional district on the 8th of November, 1864?

Answer. I cannot say.

Question. Are you acquainted with George W. Davis?

Answer. I am not.

Question. Did he belong to the regular Missouri volunteer cavalry?

Answer. I cannot remember such a man.

Question. By reference to this record heretofore spoken of, can you say whether such a person was a member of said regiment?

Answer. Yes; I find his name in the book.

Question. Where does that record show that he was enlisted?

Answer. At Rolla, Phelps county, Missouri.

Question. From the poll-books returned from the said regiment is it shown that George W. Davis voted; and, if so, for whom did he vote for Congress at election on November 8, 1864?

Answer. The poll-books show that he voted at such election for S. H. Boyd for Congress.

Re-cross-examined:

Question. After I. N. Jones resigned as lieutenant did he rejoin the regiment?

Answer. He did.

Question. What was his place of residence when he rejoined; or do you know?

Answer. I do not know.

Question. Were you clerk of the county court of Greene county on 8th November, 1864, or not?

Answer. I was not.

Question. Of those four votes spoken of as not being certified in poll-book, is the Garrison you speak of as being eighteen years old and voting for Kelso one of the four votes?

Answer. He is the same.

J. H. LISENBY.

Subscribed and sworn to before me on the day, at the place, and within the hours aforesaid.

BENJAMIN KITE, *Mayor.*

Spry Owen, being recalled, is examined by counsel for Boyd:

Question. Do you know John G. Quinn?

Answer. Yes, sir; he was captain of 6th Missouri M. S. M.

Question. Where did he reside?

Answer. Of my own personal knowledge, I do not know.

Question. Did you ever hear him say where he resided?

Answer. Yes; I heard him say he resided in north Missouri.

Question. Were you acquainted with H. H. Maynard on the 8th day of November, 1864?

Answer. Yes, sir; he belonged to the second Arkansas cavalry, and was serving in the capacity of surgeon.

Question. Do you know where Dr. Maynard lived when at home?

Answer. I heard him say he lived in Iowa.

Question. Do you know Elias Davey?

Answer. Yes, sir; he belonged to the twentieth Wisconsin infantry, and was here on detached service in hospital.

Question. Did you ever hear him say where he lived?

Answer. I did not.

Question. Do you know where he is now?

Answer. I do not.

Question. Do you know when he came here?

Answer. I do not.

Question. Do you know H. F. Herrington?

Answer. I know a Herrington—don't know whether his name was H. F. or not; he belonged to the sixth or eighth Missouri State militia, and was on detached service at headquarters.

Question. Do you know where he lived?

Answer. I have heard him say he lived in north Missouri; don't know where he lived, of my own knowledge.

Question. Do you know J. F. Maze?

Answer. I do not.

Question. Do you know J. F. Mays?

Answer. I do; he was in the quartermaster's department, in charge of saddle-shop, on or about the 8th day of November, 1864.

Question. Do you know where he was from?

Answer. He came here from Rolla, Phelps county, Missouri.

Re-examined:

Question. How long previous to 8th November, 1864, had you known James F. Mays?

Answer. Since the spring of 1858.

Question. How long had he resided in this State?

Answer. I heard him say that he resided in Missouri since 1862; I do not know of my own knowledge how long he has resided in the State.

Question. How long has he resided in Greene county?

Answer. Since the latter part of October or the first of November, 1863.

Question. Has he been residing here, in Greene county, Missouri, as a citizen, or was he here as a soldier?

Answer. He resided here as a citizen, but was a government employé.

Re-examined:

Question. What do you mean when you say he is a citizen of this place did he not come here in government employ?

Answer. Yes, sir; he came here in government employ.

Question. How long did he remain in government employ?

Answer. Until since the election in November, 1864.

SPRY OWEN.

Subscribed and sworn to before me on the day, at the place, and within the hours aforesaid.

BENJAMIN KITE, *Mayor.*

Colonel J. W. Lisenby recalled and examined by Boyd's counsel:

Question. Do you occupy any official position in the county of Greene? If so, state what position.

Answer. I am clerk of the county court of Greene county.

Question. State if you have in your charge the poll-books of the election held at Springfield, Greene county, Missouri, on the 8th day of November, 1864.

Answer. I have.

Question. State if one T. J. Orr voted at that election; and if so, for whom

Answer. He did; and——

Question. Did John G. Quinn, H. H. Maynard, Elias Dewey, H. F. Harrington, Joseph Cowan, W. A. Hightower, J. J. McGuire, Jno. C. Cowan, William P. Holt, James F. Hopper, William Tabor, J. T. Nelson, J. C. Spindle, J. D. F. D. Scott, A. M. Crage, and T. J. Orr, and George Reed, and Wm. P. Holt vote at the said election?

Answer. They did.

Question. Look at the votes in your possession, and state for whom the above-named persons voted for Congress from the 4th congressional district of Missouri on the 8th day of November, 1864.

Answer. William A. Hightower, J. J. McGuire, John C. Cowan, George Reed, William P. Holt, William Tabor, James Hopper, Joseph Cowan, James F. Mays, J. D. F. D. Scott, J. F. Herrington, Elias Dewey, J. T. Nelson, J. C. Spindle, William G. Mattux, A. M. Crage, H. H. Maynard, W. C. Adkins voted for John R. Kelso for Congress from the 4th congressional district, Missouri, and Thomas J. Orr voted for Martin J. Hubbell for Congress from the 4th congressional district.

Question. For whom did John G. Quinn vote for Congress at said election?

Answer. The record shows he voted for John R. Kelso.

Cross-examined by Kelso:

Question. Since you have been clerk of the county court of Greene county, have the poll-book and ballots of the election held in Springfield precincts been all of the time under your control and in your possession?

Answer. No, sir; they have not.

Question. Have they ever been taken from your office?

Answer. They have.

Question. Who took the ballots from your office?

Answer. J. H. Creighton.

Question. How long did he keep them out?

Answer. One night.

Question. Is he acting apparently as counsel for Boyd?

Question. How many precincts are there in Springfield or Campbell townships?

Answer. Two.

Question. Were the ballots of those two precincts in one box when brought here by you?

Answer. Yes, sir

Question. How were the ballots in said box separated, if at all?

Answer. The ballots of one precinct were loose in bottom of box; the ballots of the other precinct were wrapped up in a paper.

Question. Have you the poll-book of company F, 46th regiment, Missouri infantry volunteers, of an election held in said company on the 8th of November, 1864?

Answer. I have.

Question. Does that poll-book show who voted on such election, and for whom they voted for Congress?

Answer. It does.

Question. Did D. C. Ruff, Albert Dugger, W. M. Nelson, and W. F. Fisher vote at said election for congressman; and if so, for whom did they vote?

Answer. D. C. Ruff voted in said election for congressman, and voted for S. H. Boyd; the others did not vote for congressman.

Question. From the poll-books and ballots in your custody can you say whether J. H. Creighton voted in said election for congressman; and if so, for whom did he vote?

Answer. He voted in said election for S. H. Boyd for congressman.

Question. At said election did Samuel Gants, A. B. Freeburn, H. R. Creighton, O. S. Fahenstock, and Otho Adkins vote for congressman at such election; and if so, for whom?

Answer. They all voted, and for S. H. Boyd for congressman.

JOHN W. LISENBY.

Subscribed and sworn to before me on the day, at the place, and within the hours aforesaid.

BENJAMIN KITE, *Mayor.*

I, Benjamin Kite, mayor of the city of Springfield, Missouri, do certify that in pursuance of the annexed notice came before me, at Springfield, Missouri, Spry Owens, John R. Cox, Cyrus Greenlee, and John W. Lisenby, who were by me severally sworn to testify the whole truth of their knowledge touching the matter in controversy aforesaid; that they were examined, and their examination reduced to writing and subscribed by them respectively in my presence, on the day, between the hours, and at the place, in that behalf aforesaid, and their said depositions are herewith now returned.

And I further certify that the said Spry Owens, John R. Cox, Cyrus Greenlee, and John W. Lisenby are known to me to be the persons mentioned in said notice.

Given under my hand, at the city of Springfield, Greene county, Missouri, the 26th day of January, 1866.

BENJAMIN KITE,
Mayor of City of Springfield, Greene County, Missouri.

XIV.

To SEMPRONIUS H. BOYD:

SIR: Take notice, that on the 1st day of February, A. D. 1866, between the hours of 8 o'clock a. m. and 6 o'clock p. m., at the office of L. A. Thompson, attorney-at-law, in the town of Danville, Montgomery county, State of Missouri, deposition of Thomas B. King, a resident of the said town of Danville, Montgomery county, and State of Missouri, will be taken before John C. Whitesides, justice of the Montgomery county court, in State aforesaid, to be read in evidence in the matter of the contest by you of my seat in the House of Representatives of the Congress of the United States as representative from the fourth congressional district of the State of Missouri to the 39th Congress of the United States, and that the taking of said deposition, if not completed on that day, will be continued from day to day, at same place, before same officer, and between same hours, until completed.

JOHN R. KELSO,
By LINDENBOWER, McAFEE & PHELPS, *Att'ys.*

I certify that I served the within notice by leaving a copy thereof at the usual place of abode, in Springfield, Missouri, of the within named Sempronius H. Boyd, on the 22d day of January, 1866.

JOHN A. PATTERSON,
Sheriff of Greene County, Missouri.

Depositions of witnesses produced, sworn, and examined on the first day of February, A. D. 1866, between the hours of 8 a. m. and 6 p. m. of that day, at the law office of L. A. Thompson, in Danville, county of Montgomery and State of Missouri, before me, John C. Whitesides, a justice of the county court within and for the county and State aforesaid, in a certain contested election cause now pending in the House of Representatives of the 39th Congress of the United States, wherein Sempronius H. Boyd is contesting the seat in said House of John R. Kelso from the 4th congressional district of Missouri, on part of contestee.

Thomas B. King, of lawful age, being produced, sworn, and examined on the part of contestee, deposeth and saith in answer to the following questions:

Question first. Did you ever act as clerk in the office of the secretary of the State of Missouri? If so, when?

Answer. I was clerk in said office from the month of August, 1861, until the month of April, 1865.

Question second. As said clerk, did you have anything to do with the election returns made to said office?

Answer. I generally filed, and often made out copies, and assisted the secretary of state generally in casting up and making abstracts of said returns.

Question third. Was an abstract made out by Mr. Oliver, secretary of state, of the votes polled for the several candidates for Congress at the November election, 1864, in the said fourth congressional district?

Answer. I have no definite knowledge that such an abstract was prepared; but to the best of my recollection one was prepared.

Question fourth. What became of said abstract?

Answer. According to my best recollection, it was either indorsed on the paper enclosing the returns of election from said district, or left with the abstracts from other districts among the loose papers of the office.

Question fifth. Were any election returns from any voting place, precinct, or county, in said district, excluded in casting up the returns on account of informality, illegality, or otherwise?

Answer. According to my best recollection there were none; however, of this I cannot state positively. The returns from several of the counties were informal and irregular. Still, the secretary of state, owing to the unsettled and disorganized state of some of the counties occasioned by the war, admitted all returns not manifestly wrong or to the prejudice of any candidate.

Question sixth. Do you recollect or have you any means of refreshing your memory as to Kelso's majority over Boyd?

Answer. On consulting a paper which I have in my possession I find that the majority of Kelso over Boyd is put down at 293 votes. The paper referred to is an abstract of the votes polled at the November election, 1864, furnished by me in the month of December, 1864, to the New York Tribune Almanac while I was clerk in said office. After furnishing said abstract to said almanac other returns, new, additional, or amended, may have been returned to the office of the secretary of state. This paper fixes the majority at a less number than, according to my best impression, the casting up of the final result fixed it. In the abstract contained in the paper referred to no votes were given to Kelso in the counties of Barton, Dade, Ozark, and Howell. I could state more definitely about all these matters if I were at the office of the secretary of state.

THOS. B. KING.

Subscribed and sworn to before me, this 1st day of February, 1866.
JOHN C. WHITESIDE, *J. Co. Ct.*

STATE OF MISSOURI, *County of Montgomery, set:*

I, Jacob L. Sharp, clerk of the county court of said county, certify that John C. Whiteside, whose genuine signature appears to the foregoing certificate, is, and was at the time of signing the same, a justice of the county court of said county, duly commissioned and qualified.

[SEAL.] In witness whereof, I have hereunto set my hand and official seal. Done at office in the town of Danville, the 1st February, A. D. 1866.
JACOB L. SHARP, *Clerk,*
By SAML. T. SHARP, *D. C.*

XV.

STATE OF MISSOURI, *County of Lawrence, ss:*

I, John S. Wilson, clerk of the county court within and for said county of Lawrence, do hereby certify that at a general election held on the 8th day of November, A. D. 1864, for said county of Lawrence, John R. Kelso received six hundred and twenty-four (624) votes for Congress, and that Sempronius H. Boyd received one hundred and seventy-three (173) votes for Congress. And I further certify that all the votes returned on the poll-books to this office have been counted.

In witness whereof, I hereto set my hand and affix the seal of said court at [SEAL. office in Mount Vernon, this 24th day of October, A. D. 1865.
JOHN S. WILSON, *Clerk.*

SIR: You requested the within for 1865, which I suppose to be a mistake. You will observe I have made it out for 1864. My fee, one dollar.
JOHN S. WILSON.

Hon. J. R. KELSO.

XVI.

STATE OF MISSOURI, *County of Greene, ss:*

I, Robert A. C. Mack, clerk of the county court of Greene county, in the State of Missouri, do hereby certify that the vote of company M, 8th M. S. M. cavalry, is not among the votes counted as having been cast at the general election in November, 1864, for State officers and for members of Congress from the 4th congressional district; nor does the same appear on the register of votes counted and certified by me as clerk of the county court of said county of Greene, in the State of Missouri.

In testimony whereof, I have hereunto set my hand and affixed the seal of [SEAL.] said court, this 10th day of April, 1865.
ROBERT A. C. MACK, *Clerk.*

XVII.

STATE OF MISSOURI, *County of Christian, ss:*

I, John McPettijohn, clerk of the county court in and for the county of Christian, in the State of Missouri, do hereby certify that the returns of the November election, 1864, of the 8th Missouri, Co. M, M. S. M. cavalry, who voted at Neosho, Missouri was sent to my office, and that I received said returns after the votes of this county had been cast up, and that I mailed said returns and directed them to the secretary of state, at Jefferson City, Missouri.

In witness whereof, I, John McPettijohn, clerk, as above stated, have hereunto set my hand and affixed the seal of the said county court, at office in the town of Ozark, this 13th day of October, A. D. 1865.

[SEAL.]

JOHN McPETTIJOHN, *Clerk.*

XVIII.

HARTVILLE, MISSOURI, *August* 28, 1865.

SIR: Owing to the press of business, I have not, until the present, had an opportunity of answering the letter I received some time since concerning the election in November, 1864. Owing to the raid, or some other cause, we did not receive but two poll-books at this office, and those were from the 8th Missouri cavalry volunteers stationed in Arkansas, of which S. H. Boyd received them all, amounting to 8 votes. At this place there were 79 votes given, of which you received 77 votes.

The poll-books from company H, 8th cavalry, M. S. M., were not received at this office; the reason I cannot tell.

S. H. Boyd received votes, including those two poll-book, 10 votes.

John R. Kelso received 77 votes.

STATE OF MISSOURI, *County of Wright:*

I, William K. Benton, clerk of the county court within and for Wright county, do hereby certify that the above is a true statement of the number of poll-books, and the number of votes given, and whom given to.

In testimony whereof, I have hereunto set my hand and seal of court this August 28, 1865.

[SEAL.]

WILLIAM K. BENTON, *Clerk.*

By JAMES FORREST, *Deputy Clerk.*

Hon. J. R. KELSO.

XIX.

STATE OF MISSOURI, OFFICE OF SECRETARY OF STATE,
City of Jefferson, October 23, 1865.

I, Francis Rodman, secretary of the State of Missouri, do hereby certify that his excellency Governor Thomas C. Fletcher did, on the tenth day of April, A. D. 1865, appoint and commission the honorable Sempronius H. Boyd as judge of the circuit court within and for the fourteenth judicial circuit of the State of

Missouri; that the said S. H. Boyd still holds his commission as such, and that he is discharging the duties of his office this twenty-third day of October, A. D. 1865.

In testimony whereof, I have hereunto set my hand and affixed the seal of my office. Done at office, this twenty-third day of October, A. D. 1865.

[SEAL.]

FRANCIS RODMAN,
Secretary of State.

XX.

Abstract of the votes given in the county of Polk, including the military and civil vote, at an election held on the 8th day of November, A. D. 1864.

Townships, &c.	Names of candidates for Congress.			
	S. H. Boyd.	John R. Kelso.	P. B. Larimore.	M. J. Hubble.
Madison township	45	24	....	....
Marion township	112	84	1	....
Greene township	17	13	....	....
Benton township	49	....	....	....
Johnson township	12	96	....	....
Looney township	17	34	....	....
Jackson township	127	5	....	1
Jefferson township	7	8	....	....
Detachment Co. F, 7th prov. regt. E. M. M	10	11	1	....
Co. K, 26th regt. E. M. M	24	8	....	....
Co. I, 26th regt. E. M. M	23	17	....	....
Co. F, 26th regt. E. M. M	23	71	....	....
Co. G, 26th regt. E. M. M	10	31	....	....
Co. F, 7th prov. regt. E. M. M	13	2	1	....
Henry McCabes, C. E, 8th M. S. M	5	27	....	....

STATE OF MISSOURI, *County of Polk, ss:*

I, T. W. Cunningham, clerk of the county court within and for said county, do hereby certify that the above and foregoing is a true abstract of the vote given in said county, including the military and civil vote, for the several candidates for Congress, held on the 8th day of November, A. D. 1864, as appears from the poll-books of said election, now on file in my said office.

In testimony whereof, I, T. W. Cunningham, clerk of said court, have hereunto subscribed my name and affixed the seal of said court, at office in Bolivar, the 25d day of October, A. D. 1865.

[SEAL.]

T. W. CUNNINGHAM, *Clerk,*
By W. L. SNODGRASS, *D. C.*

XXI.

Abstract of the vote polled in the different precincts for member of Congress for the fourth congressional district.

Townships, &c.	Boyd.	Kelso.
Benton	103	137
Jackson	3	33
Jasper	27	32
Greene	19	23
Miller	24	18
Co. M, 8th M. S. M., (two detachments)	.....	16
Co. C, 46th U. S. vol. inf.	23	3
Co. A, 26th E. M. M.	16	32
Co. L, 4th M. S. M.	9	.....
Co. K, 2d art.	.....	8
Co. I, 6th prov. E. M. M.	15	.....
Co. I, 8th M. vol. cav.	10	.....
	249	302

STATE OF MISSOURI, *County of Dallas, ss:*

I, A. B. Maddux, clerk of the county court in and for said county, do certify that the foregoing is a full and correct abstract of the vote of said county, now on file in my office.

Witness my hand, with the seal of said court, at office in Buffalo, this September 14, 1865.

[SEAL.]

A. B. MADDUX, *Clerk.*

XXII.

Abstract of the votes polled in Barry county, Mo., at the November election, 1864.

Townships, &c.	Boyd.	Kelso.
Crane Creek	15	37
Flat Creek	13	26
McDonald	3	39
Mountain	.....	26
Co. G, 7th prov. E. M. M.	.....	23
Co. M, 8th M. S. M.	.....	19
Detachment 8th Mo. cav. vol.	4	.....
Detachment 6th Mo. cav. vol.	3	.....
Co. F, 1st regt. Mo. art.	1	.....
	39	170

I, G. L. Carlin, clerk of the county court within and for the county of Barry and State of Missouri, certify that the above is a true and correct abstract of the votes polled for candidates for Congress at the November election, 1864, at the various precincts in said county, as shown by the poll-books of said election, now in my office.

In witness whereof, I have hereto set my hand and affixed the seal of said court, at office, this September 27, 1865.

[SEAL.]

G. L. CARLIN, *Clerk.*

XXIII.

STATE OF LOUISIANA, *Parish of Baton Rouge, ss :*

Poll-book of an election of a detachment of sixth regiment of Missouri cavalry volunteers, held at Baton Rouge on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the fifth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general for the State of Missouri, one senator, one representative in the legislature, for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for Texas county; Robert D. Dillard, John B. Salsman, and Wm. Kerkendall being judges, and Andrew J. Tyson and B. C. Baker being clerks of said election, who were severally sworn, as the law directs, previous to their entering on the duties of their respective offices.

STATE OF LOUISIANA, *Parish of Baton Rouge, ss :*

We, Robert D. Dillard, John B. Salsman, and Wm. Kerkendall, do swear hat we will impartially discharge the duty of judges of the present election, according to law and the best of our abilities, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters and civil officers in Missouri.

JOHN B. SALSMAN.
WILLIAM KERKENDALL.
R. D. DILLARD.

Sworn to and subscribed before me the 8th day of November, 1864.

BARON MONTGOMERY,
Major, Commanding Officer Regiment.

PARISH OF BATON ROUGE, *ss:*

We, Andrew J. Tyson and B. C. Baker, do swear that we will faithfully record the names of all the voters at the present election, and distinctly carry out in lines and columns the name of the person for whom each voter votes; and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualification of voters.

ANDREW J. TYSON.
BURTON C. BAKER.

Sworn to and subscribed before me the 8th day of November, 1864.

JOHN B. SALSMAN,
One of the Judges of Election.

No.	Voters' names.	Residence.	S. H. Boyd.
1.	John H. Bezonia	Texas county, Missouri	1
2.	John W. Huxsill	Texas county, Missouri	1
3.	Wm. Deforest	Texas county, Missouri	1
4.	J. T. Watson	Texas county, Missouri	1
5.	V. M. Sulivan	Texas county, Missouri	1
6.	R. P. L. McKiddy	Texas county, Missouri	1
7.	J. M. Parsifal	Texas county, Missouri	1
8.	Dempsey F. Sulivan	Texas county, Missouri	1

STATE OF LOUISIANA, *Parish of Baton Rouge, ss:*

Abstract of votes given at an election held at Baton Rouge, Louisiana, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the —— district, a governor, lieutenant governor, secretary of state, auditor of public accounts, state treasurer, register of lands, and attorney general of the State of Missouri; one senator, one representative in the legislature; for and against a State convention; for two delegates to the State convention; a circuit attorney; for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for Texas county.

Names of persons voted for, and for what office, and the number of votes given each candidate.

* * * * * * *

For Congress, fifth district, S. H. Boyd had 8 votes.

* * * * * * *

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election.

Witness our hands this eighth day of November, 1864.

JOHN B. SALSMAN,
R. D. DILLARD,
WILLIAM KUYKENDALL,
Judges.

Attest:

ANDREW J. TYSON,
BURTON C. BAKER,
Clerks.

STATE OF MISSOURI, *County of Greene, ss:*

I, John W. Lisenby, clerk of the county court within and for said county, do hereby certify that the foregoing is a true and correct transcript of a poll-book now on file in my office, so far as the same relates to the votes given for a representative to the 39th Congress of the United States from the 5th congressional district of the State of Missouri.

In witness whereof, I have hereunto set my hand and affixed the seal of said [L. S.] county court, at office in Springfield, this 13th day of February, A. D. 1866.

JOHN W. LISENBY, *Clerk.*

XXIV.

STATE OF LOUISIANA, *Parish of Jefferson, ss:*

Poll-book of an election of 6th volunteer regiment of Missouri cavalry, held at Greenville, Louisiana, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the 4th district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general for the State of Missouri, five senators, twelve representatives in the legislature, for and against a State convention, for ten delegates to the State convention, a circuit attorney, assistant circuit attorney, for a sheriff, county treasurer, county jailer, coroner, judge of probate court, clerk of the circuit court, justices of the county court and county school commissioner for Howell county; Sergeant John M. Rariden, Sergeant George Salsman, and Private Pitser Washburn being judges, and 1st Sergeant Th. B. Robinson and 1st Sergeant Thomas Ingram being clerks of said election, who were severally sworn, as the law directs, previous to their entering on the duties of their respective offices.

STATE OF LOUISIANA, *Parish of Jefferson, ss:*

We, John Rariden, sergeant, George Salsman, sergeant, and Pitser Washburn, private, do swear that we will impartially discharge the duty of judges of the present election according to law and the best of our abilities, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10th, A. D. 1862, defining the qualifications of voters and civil officers in Missouri.

JOHN M. RARIDEN, *Sergeant.*
GEORGE SALSMAN, *Sergeant.*
PITSER WASHBURN, *Private.*

Sworn to and subscribed before me this 8th day of November, 1864.

ED. M. MORRIS,
D. Commanding Officer.

PARISH OF JEFFERSON, *ss:*

We, Th. B. Robinson, first sergeant, and Thomas J. Ingram, first sergeant, do swear that we will faithfully record the names of all the voters at the present election, and distinctly carry out, in lines and columns, the name of the person for whom each voter votes, and will not record nor permit to be recorded the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters.

TH. B. ROBINSON, 1*st Sergeant.*
THOS. J. INGRAM, 1*st Sergeant.*

Sworn to and subscribed before me the 8th day of November, 1864.

JOHN M. RARIDEN, Sergeant,
One of the Judges of Election.

CONGRESS—FOURTH DISTRICT.

No.	Voter's name.	Residence.	S. H. Boyd.
1.	Elijah J. Friend	Howell county, Mo	1

STATE OF LOUISIANA, *Parish of Jefferson, ss:*

Abstract of votes given at an election held at Greenville, Louisiana, in Jefferson parish, on the eighth day of November, eighteen hundred and sixty-four.

Names of persons voted for, and for what office, and the number of votes given each candidate.

* * * * * * *

For Congress, fourth district, S. H. Boyd had 1 vote.

* * * * * * *

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election.

Witness our hands this eighth day of November, 1864.

JOHN M. RARIDEN, *Sergeant,*
GEORGE SALSMAN, *Sergeant,*
PITZER WASHBURN, *Private,*
Judges.

Attest:

THOMAS B. ROBINSON, 1*st Sergeant,*
THOMAS J. INGRAM, 1*st Sergeant,*
Clerks.

STATE OF MISSOURI, *County of Greene, ss :*

I, John W. Lisenby, clerk of the county court within and for said county, do hereby certify that the foregoing is a true and correct transcript of a poll-book, now on file in my office, so far as the same relates to the votes given for a representative to the 39th Congress of the United States from the fourth congressional district of the State of Missouri.

In witness whereof, I have hereunto set my hand and affixed the seal of said county court, at office in Springfield, this 13th day of February, A. D. 1866. [SEAL.]

JOHN W. LISENBY, *Clerk.*

XXV.

STATE OF LOUISIANA, *Parish of Jefferson, ss:*

Poll-book of an election of detachment of 6th volunteer regiment of Missouri cavalry, held at Greenville, Louisiana, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general for the State of Missouri, five senators, twelve representatives in the legislature, for and against a State convention, for ten delegates to the State convention, a circuit attorney, assistant circuit attorney, for a sheriff, county treasurer, county jailer, coroner, judge of probate court, clerk of the circuit court, justices of the county court, and county school commissioner for Texas county; Sergeant John Raridan, Sergeant George Salsmon, and Private Pitser Washburn being judges, and Th. B. Robinson, first sergeant, and Thomas J. Ingram, first sergeant, being clerks of said election, who were severally sworn, as the law directs, previous to their entering on the duties of their respective offices.

STATE OF LOUISIANA, *Parish of Jefferson, ss:*

We, John Raridan, sergeant, George Salsmon, sergeant, and Pitser Washburn, private, do swear that we will impartially discharge the duty of judges of the present election, according to law and the best of our abilities, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters and civil officers in Missouri.

JOHN M. RARIDEN, *Sergeant.*
GEORGE SALSMAN, *Sergeant.*
PITSER WASHBURN, *Private.*

Sworn to and subscribed before me the 8th day of November, 1864.

ED. M. MORRIS,
Det. Commanding Officer.

PARISH OF JEFFERSON, *ss :*

We, Th. B. Robinson, 1st sergeant, and Thomas J. Ingram, 1st sergeant, do swear that we will faithfully record the names of all the voters at the present election, and distinctly carry out in lines and columns the name of the person for whom each voter votes, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the

first section of the ordinance adopted June 10, 1862, defining the qualification of voters.

TH. B. ROBINSON, 1*st Sergeant.*
THOMAS J. INGRAM, 1*st Sergeant.*

Sworn to and subscribed before me, the 8th day of November, 1864.
JOHN M. RARIDEN, *Sergeant,*
One of the Judges of Election.

CONGRESS—FOURTH DISTRICT.

No.	Voters' names.	Residence.	S. H. Boyd.
1	Leroy S. Crow	Texas county, Mo	1
2	Presley Smith	do	1
3	William M. Pumfull	do	1

THE STATE OF LOUISIANA, *Parish of Jefferson, ss:*

Abstract of votes given at an election held at Greenville, Louisiana, in the parish of Jefferson, on the eighth day of November, eighteen hundred and sixty-four.

Names of persons voted for, and for what office, and the number of votes given each candidate.

* * * * * * * *

For Congress, 4th district, S. H. Boyd had 3 votes.

* * * * * * * *

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election. Witness our hands this eighth day of November, 1864.

JOHN M. RARIDEN, *Sergeant,*
GEORGE SALSMAN, *Sergeant,*
PITZER WASHBURN, *Private,*
Judges.

Attest:
TH. B. ROBINSON, 1*st Sergeant,*
THOS. J. INGRAM, 1*st Sergeant,*
Clerks.

STATE OF MISSOURI, *County of Greene, ss:*

I, John W. Lisenby, clerk of the county court within and for said county, do hereby certify that the foregoing is a true and correct transcript of a poll-book now on file in my office, so far as the same relates to the votes given for a representative to the 39th Congress of the United States from the 4th congressional district of the State of Missouri.

In witness whereof, I have hereunto set my hand and affixed the seal of said county court, at office in Springfield, this 13th day of February, 1866.
[SEAL.]
JOHN W. LISENBY, *Clerk.*

XXVI.

STATE OF MISSOURI, *County of St. Louis, ss:*

Poll-book of an election of company G, of twenty-fourth regiment of Missouri infantry volunteers, held at St. Louis, Missouri, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general for the State of Missouri; —— senators, —— representatives in the legislature; for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for ——— county; A. T. Shadel, John G. Ridens, and John Odell being judges, and James E. Winn and John Smith being clerks of said election, who were severally sworn, as the law directs, previous to their entering on the duties of their respective offices.

STATE OF MISSOURI, *County of St. Louis, ss:*

We, A. T. Shadel, John G. Ridens, and John Odell, do swear that we will impartially discharge the duty of judges of the present election, according to law and the best of our abilities, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, 1862, defining the qualifications of voters and civil officers in Missouri.

A. T. SHADEL.
JOHN G. RIDENS.
JOHN ODELL.

Sworn to and subscribed before me, the 8th day of November, 1864.

———— ————,
Captain Company, Commanding Officer.

COUNTY OF ST. LOUIS, *ss:*

We, James E. Winn and John Smith, do swear that we will faithfully record the names of all the voters at the present election, and distinctly carry out in lines and columns the name of the person for whom each voter votes, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualification of voters.

JAMES E. WINN.
JOHN SMITH.

Sworn to and subscribed before me, the 8th day of November, 1864.

A. T. SHADEL,
One of the Judges of Election.

FOR CONGRESS—FOURTH DISTRICT.

No.	Voters' names.	Residence.	S. H. Boyd.	John R. Kelso.
1	H. Tatum	Ozark, Mo	1	
2	Philip Jones	do	1	
3	James R. Spenks	Hartsville, Mo	1	
4	James Atterbery	Ozark, Mo	1	
5	John H. Overlan	Lebanon, Mo	1	
6	Granville B. Stubblefield	Springfield, Mo	1	
7	Eli Heady	do	1	
8	Anthony J. Ganviette	do		
9	Jeremiah Odell	Hartsville, Mo	1	
10	Samuel E. Stirup	Lebanon, Mo	1	
11	Francis M. Kessenger	Ozark, Mo	1	
12	John Smith	Mount Vernon, Mo	1	
13	Stephen Chandler	Springfield, Mo	1	
14	Welcome Stephens	Lebanon, Mo	1	
15	H. M. Melton	Ozark, Mo	1	
16	George W. Parten	Springfield, Mo	1	
17	James Dill	Lebanon, Mo		
18	Morgan Stephenson	do	1	
19	Wallen Rodgers	do		
20	John H. McGinnis	do	1	
21	George Dill	do	1	
22	Andrew J. Kessenger	Ozark, Mo		1
23	James C. Pierce	Buffalo, Mo	1	
24	James R. White	Springfield, Mo	1	
25	George M. Quin	Lebanon, Mo	1	
26	Martin L. Edwards	Ozark, Mo	1	
27	Malachi Thomas	Lebanon, Mo	1	
28	William H. McGinnis	do	1	
29	George W. Haggard	Marshfield, Mo	1	
30	William B. Watson	Greenville, Mo		
31	William H. King	Springfield, Mo	1	
32	John Moses	Ozark, Mo	1	
33	Thomas J. Harp	do		1
34	Abram D. Wolfington	Springfield, Mo	1	
35	John G. Ridens	Hartsville, Mo		1
36	William Wilton	Springfield, Mo		
37	John Odell	Hartsville, Mo		
38	Alfred T. Shadel	Lebanon, Mo		
39	Henry Mayberry	Warrensberg, Mo		
40	David L. Steward	Lebanon, Mo		
41	*Berry L. Carter	Springfield, Mo		
42	James E. Winn	do		
43	Charles Dalrymple	St. Louis, Mo		

* Carter belongs to company H. No polls for company H.

THE STATE OF MISSOURI, *County of St. Louis, ss:*

Abstract of votes given at an election held at St. Louis, Missouri, in company G, twenty-fourth Missouri infantry volunteers, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general of the State of Missouri; —— senators, —— representatives in the legislature; for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for ——— county.

Names of persons voted for, and for what office, and the number of votes given each candidate.

For Congress, fourth district, S. H. Boyd had 33 votes; John R. Kelso had 3 votes.

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election.

Witness our hands, this eighth day of November, 1864.

A. T. SHADEL,
JOHN G. RIDENS,
JOHN ODELL,
Judges

Attest:
JAMES E. WINN,
JOHN SMITH,
Clerks.

STATE OF MISSOURI, *County of Greene, ss:*

I, John W. Lisenby, clerk of the county court within and for said county, do hereby certify that the foregoing is a true and correct transcript of a poll-book now on file in my office, so far as the same relates to the votes given for a representative to the thirty-ninth Congress of the United States, from the fourth congressional district of the State of Missouri.

In witness whereof, I have hereunto set my hand and affixed the seal of said county court, at office, in Springfield, this 13th day of February, A. D. 1866.

[SEAL.]

JOHN W. LISENBY, *Clerk.*

XXVII.

STATE OF MISSOURI, *County of St. Louis:*

Poll-book of an election of company C of the 24th regiment of Missouri infantry volunteers, held at St. Louis, in the State of Missouri, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general for the State of Missouri, —— senators, —— representatives in the legislature, for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for ——— county; Claborn Rucker, George W. Tripp, and John P. Hall being judges, and Onslow G. Minzes and James H. Martin being clerks of said election, who were severally sworn, as the law directs, previous to their entering on the duties of their respective offices.

STATE OF MISSOURI, *County of St. Louis, ss:*

We, Claborn Rucker, George W. Tripp, and John P. Hall, do swear that we will impartially discharge the duty of judges of the present election, according to law, and to the best of our abilities, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters and civil officers in Missouri.

CLABORN RUCKER.
GEORGE W. TRIPP.
JOHN P. HALL.

Sworn to and subscribed before me the 8th day of November, 1864.

J. H. MARTIN,
Lieut. Company Commanding Officer.

COUNTY OF ST. LOUIS, *ss:*

We, Onslow G. Minzes, and James H. Martin, do swear that we will faithfully record the names of all the voters at the present election, and distinctly carry out in lines and columns the name of the person for whom each voter votes, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters.

ONSLOW G. MINZES,
J. H. MARTIN.

Sworn to and subscribed before me the 8th day of November, 1864.

JOHN P. HALL,
One of the Judges of Election.

FOR CONGRESS—FOURTH DISTRICT.

No.	Voters' names.	Residence.	S. H. Boyd.
1	Walter W. Tripp	Christian county, Mo	1
2	A. M. H. Clayton	Laclede county, Mo	1
3	Jacob Roller	Christian county, Mo	1
4	George W. Shelton	Douglas county, Mo	1
5	John Garrison	Webster county, Mo	1
6	Hardy Harp	Stone county, Mo	1
7	James A. Barr	Laclede county, Mo	1
8	James Denney	Webster county, Mo	1
9	William Hammons	do	1
10	William C. Holt	Lawrence county, Mo	1
11	James M. Robertson	Douglas county, Mo	1
12	William H. Loyd	Christian county, Mo	1
13	Joshua J. Yarbrough	do	1
14	Jesse Rhodes	Taney county, Mo	1
15	O. G. Menzes	Douglas county, Mo	1
16	James H. Martin	Greene county, Mo	1
17	George W. Tripp	Ripley county, Mo	------
18	Claborn Rucker	Christian county, Mo	1
19	John P. Hall	do	1

THE STATE OF MISSOURI, *County of St. Louis, ss:*

Abstract of votes given at an election held at Schofield barracks, St. Louis, Missouri, in company C, 24th regiment of Missouri infantry volunteers, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice President, a member of Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general of the State of Missouri, —— senators, —— representatives in the legislature, for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for ——— county.

Names of persons voted for, and for what office, and the number of votes given each candidate.

For Congress, fourth district, Sempronius H. Boyd had 18 votes.

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election.

Witness our hands this eighth day of November, 1864.

CLABORN RUCKER,
GEORGE W. TRIPP,
JOHN P. HALL,
Judges.

Attest:

ONSLOW G. MINZES,
J. H. MARTIN,
Clerks.

STATE OF MISSOURI, *County of Greene, ss:*

I, John W. Lisenby, clerk of the county court, within and for said county, do hereby certify that the foregoing is a true and correct transcript of a poll-book now on file in my office, so far as the same relates to the votes given for a representative to the 39th Congress of the United States from the 4th congressional district of the State of Missouri.

In witness whereof, I have hereunto set my hand and affixed the seal of said county court, at office in Springfield, this 13th day of February, A. D. 1866.

[SEAL.] JOHN W. LISENBY, *Clerk.*

XXVIII.

STATE OF MISSOURI, *County of St. Louis, ss:*

Poll-book of an election of company H, of 24th regiment of Missouri volunteer infantry, held at Schofield barracks, St. Louis, Missouri, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general for the State of Missouri, —— senators, —— representatives in the legislature, for and against a State convention; for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for ——— county; Zachariah Plumlee, William Long, and James Evans being judges, and Thomas B. Samuels and Philip G. Bodenhamer being clerks of said election, who were severally sworn, as the law directs, previous to their entering on the duties of their respective offices.

STATE OF MISSOURI, *County of St. Louis, ss:*

We, Zachariah Plumlee, William Long, and James Evans, do swear that we will impartially discharge the duty of judges of the present election, according to law and the best of our abilities, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters and civil officers in Missouri.

ZACHARIAH PLUMLEE.
WILLIAM LONG.
JAMES EVANS.

Sworn to and subscribed before me, the eighth day of November, 1864.

N. G. LONG,
Capt. Co. H, 24th Mo. Vol. Inf. Co., Com'dg Officer.

COUNTY OF ST. LOUIS, *ss:*

We, Thomas B. Samuels and P. G. Bodenhamer, do swear that we will faithfully record the names of all the voters at the present election, and distinctly carry out in lines and columns the name of the person for whom each voter votes, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualification of voters.

THOMAS B. SAMUELS.
P. G. BODENHAMER.

Sworn to and subscribed before me, the eighth day of November, 1864.

ZACHARIAH PLUMLEE.
One of the Judges of Election.

FOR CONGRESS—FOURTH DISTRICT.

No.	Voters' names.	Residence.	S. H. Boyd.	J. R. Kelso.
1	J. A. Jones	Stone county	1	------
2	P. H. McVay	Webster county	------	------
3	E. B. Chapman	Dallas county	1	------
4	F. M. Standlee	Greene county	1	------
5	J. Falkner	do	1	------
6	E. Cootlon	Dallas county	1	------
7	H. Hays	Barton county	------	------
8	J. M. White	Greene county	1	------
9	E. Shirley	Phelps county	------	------
10	C. B. Hughs	Webster county	1	------
11	E. H. Bishop	Phelps county	------	------
12	T. Evans	Webster county	1	------
13	W. Hartley	Douglas county	1	------
14	C. Moore	Christian county	1	------
15	M. Plumley	Cooper county	------	------
16	B. L. Stafford	Webster county	------	------
17	C. H. Edwards	Stone county	1	------
18	Z. Plumley	Cooper county	------	------
19	Wm. Long	Greene county	1	------
20	J. Evans	Webster county	1	------
21	P. G. Bodenhamer	do	1	------
22	T. B. Samuel	Lawrence county	------	1
23	J. P. Wade	Greene county	1	------
24	J. Haynes	Taney county	1	------

THE STATE OF MISSOURI, *County of St. Louis, ss:*

Abstract of votes given at an election held at Schofield barracks, St. Louis, Missouri, in company H, 24th regiment of Missouri infantry volunteers, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general of the State of Missouri, —— senator —— representatives in the legislature, for and against a State convention; for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for ——— county.

Names of persons voted for, and for what office, and the number of votes given each candidate.

* * * * * * * *

For Congress, fourth district, S. H. Boyd had sixteen votes; J. R. Kelso had one vote.

* * * * * * * *

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election.

Witness our hands this eighth day of November, 1864.

ZACHARIAH PLUMLEE,
JAMES EVANS,
WILLIAM LONG,
Judges.

Attest:

T. B. SAMUEL,
P. G. BODENHAMER,
Clerks.

STATE OF MISSOURI, *County of Greene, ss:*

I, John W. Lisenby, clerk of the county court within and for said county, do hereby certify that the foregoing is a true and correct transcript of a poll-book now on file in my office, so far as the same relates to the votes given for a representative to the 39th Congress of the United States from the fourth congressional district of the State of Missouri.

In witness whereof, I have hereunto set my hand and affixed the seal of said [SEAL.] county court, at office in Springfield, this 13th day of February, A. D. 1866.

JOHN W. LISENBY, *Clerk.*

XXIX.

STATE OF MISSOURI, *County of Greene, ss:*

Poll-book of an election of detachment of the eighth regiment of Missouri cavalry, State militia, held at Springfield, Missouri, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general for the State of Missouri, one senator, two representatives in the legislature; for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for Greene county, Missouri; Sergeant Thomas L. Gum, Corporal John Bishop, and Sergeant G. F. Bryant, being judges, and Andrew F. Renfrow and William V. Nave being clerks of said election, who were severally sworn, as the law directs, previous to their entering on the duties of their respective offices.

STATE OF MISSOURI, *County of Greene, ss:*

We, Thomas L. Gum, G. F. Bryant, and John Bishop, do swear that we will impartially discharge the duty of judges of the present election, according to law and the best of our abilities, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters and civil officers in Missouri.

THOMAS L. GUM,
GRANVILLE F. + (his mark.) BRYANT,
JOHN BISHOP.

Sworn to and subscribed before me, the eighth day of November, 1864.

WILLIAM C. HUMAN,
Captain, Detached Commanding Officer.

COUNTY OF GREENE, *ss:*

We, A. F. Renfrow and William V. Nave, do swear that we will faithfully record the names of all the voters at the present election, and distinctly carry out in lines and columns the name of the person for whom each voter votes, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualification of voters.

A. F. RENFROW,
WILLIAM V. NAVE.

Sworn to and subscribed before me, the eighth day of November, 1864.

THOMAS L. GUM,
One of the Judges of Election.

FOR CONGRESS—FOURTH DISTRICT.

No.	Voters' names.	Residence.	S. H. Boyd.	John R. Kelso.
1	William T. Smith	Polk county, Mo	1	------
2	Nelson Crain	------do	1	------
3	Robert Ratcliff	------do	1	------
4	W. B. Sewell	Laclede county, Mo	------	------
5	William F. Hagg	Polk county, Mo	------	1
6	Isaac R. Smith	Benton county, Mo	------	------
7	John A. Davis	Greene county, Mo	1	------
8	B. J. Proffit	Polk county, Mo	1	------
9	C. N. Castlebery	------do	1	------
10	Joseph Roberts	St. Clair county, Mo	------	------
11	E. L. Parish	Polk county, Mo	------	1
12	Marcus Mills	Christian county, Mo	------	1
13	W. H. Burton	Polk county, Mo	1	------
14	Henry Cumpton	Dade county, Mo	------	1
15	William McGee	Polk county, Mo	------	1
16	M. W. Copeland	------do	1	------
17	John A. Grant	------do	------	1
18	Fiolo Neil	------do	------	------
19	John Needham	------do	------	1
20	John W. Herel	Dade county, Mo	1	------
21	C. C. Pitts	Hickory county, Mo	------	------
22	John W. Dyer	------do	------	------
23	Benton Cox	Cole county, Mo	------	------
24	Jesse C. Bridges	Polk county, Mo	1	------
25	Jacob Matti	Hickory county, Mo	------	------
26	E. B. Dedlozier	Henry county, Mo	------	------
27	Thomas C. Washburn	Hickory county, Mo	------	------
28	T. M. Ayers	St. Clair county, Mo	------	------
29	F. Slemmer	Benton county, Mo	------	------
30	M. L. Haggard	Stone county, Mo	------	1
31	G. T. Delozier	Henry county, Mo	------	------
32	Martin Hancock	Greene county, Mo	1	------
33	William Nuas	Benton county, Mo	------	------
34	T. I. Nichleson	------do	------	------
35	Thomas C. Gum	------do	------	------
36	John Bishop	------do	------	------
37	G. F. Bryant	------do	------	------
38	William Comble	Greene county, Mo	1	------
39	William V. Nave	Benton county, Mo	------	------

THE STATE OF MISSOURI, *County of Greene, ss:*

Abstract of votes given at an election held at Springfield, Missouri, in a detachment of the eighth cavalry, Missouri State militia, commanded by Captain William C. Human, eighth cavalry, Missouri State militia, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general of the State of Missouri, one senator, two representatives in the legislature; for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for Greene county.

Names of persons voted for, and for what office, and the number of votes given each candidate.

* * * * * * * * *

For Congress, fourth district, S. H. Boyd had twelve votes; John R. Kelso had eight votes.

* * * * * * * * *

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election.

Witness our hands, this eighth day of November, 1864.

THOMAS L. GUM,
his
GRANVILLE × BRYANT,
mark.
JOHN BISHOP,
Judges.

Attest:
A. F. RENFROW,
WILLIAM V. NAVE,
Clerks.

STATE OF MISSOURI, *County of Greene, ss:*

I, John W. Lisenby, clerk of the county court within and for said county, do hereby certify that the foregoing is a true and correct transcript of a poll-book now on file in my office, so far as the same relates to the votes given for a representative to the thirty-ninth Congress of the United States from the fourth congressional district of the State of Missouri.

In witness whereof, I have hereunto set my hand and affixed the seal of said [SEAL.] county court, at office in Springfield, this thirteenth day of February, A. D. 1866.

JOHN W. LISENBY, *Clerk.*

XXX.

STATE OF MISSOURI, *County of Pettis, ss:*

Poll-book of an election of company M, of the fourth cavalry regiment of Missouri State militia, held at Georgetown, in Pettis county, Missouri, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general for the State of Missouri, —— senators, —— representatives in the legislature, for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for ——— county; Milton M. Potter, C. F. Breedlove, and W. M. Patterson being judges, and L. M. Roundtree and James McDaniel being clerks of said election, who were severally sworn, as the law directs, before entering on the duties of their respective offices.

STATE OF MISSOURI, *County of Pettis, ss·*

We, Milton M. Potter, C. F. Breedlove, and W. M. Patterson, do swear that we will impartially discharge the duty of judges of the present election, according to law, and the best of our abilities, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10th, A. D. 1862, defining the qualifications of voters and civil officers in Missouri.

MILTON M. POTTER.
C. F. BREEDLOVE.
WM. M. PATTERSON.

Sworn to and subscribed before me the 8th day of November, A. D. 1864.

JOHN CROSS,
Captain, Company Commanding Officer.

COUNTY OF PETTIS, *ss:*

We, L. M Roundtree and James McDaniel, do swear that we will faithfully record the names of all the voters at the present election, and distinctly carry out in lines and columns the name of the person for whom each voter votes, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10th, A. D. 1862, defining the qualification of voters.

L. M. ROUNDTREE.
JAMES McDANIEL.

Sworn to and subscribed before me the 8th day of November, 1864.

MILTON M. POTTER,
One of the Judges of Election.

FOR CONGRESS—FOURTH DISTRICT.

No.	Voters' names.	Residence.	S. H. Boyd.
1	John Cross	Greene county, Mo	1
2	Richard Scaggs	do	1
3	John Oneal	do	1
4	Wm. Rogers	do	1
5	C. F. Breedlove	do	1
6	L. B. Webb	do	1
7	Wm. Lamb	do	1
8	E. R. Couch	do	1
9	D. W. Wommack	do	1
10	Wm. M. Patterson	do	1
11	L. M. Rountree	do	1
12	M. M. Potter	Webster county, Mo	1
13	C. V. Britain	Lawrence county, Mo	1
14	S. T. Ford	Webster county, Mo	1
15	E. Tracy	do	1
16	Wm. Jones	Christian county, Mo	1
17	R. T. Cantrell	Webster county, Mo	1
18	S. S. Pritchett	Lawrence county, Mo	1
19	J. McDaniel	Christian county, Mo	1
20	Andrew Walker	do	1
21	Archibald Walker	do	1
22	Wm. L. Horner	Greene county, Mo	1
23	A. J. Dulin	do	1
24	M. Blackwell	Webster county, Mo	1
25	J. Binney	Lawrence county, Mo	1
26	E. W. Stafford	Webster county, Mo	1
27	Wm. Thompson	Greene county, Mo	1
28	I. N. Plumblee	Webster county, Mo	1
29	J. D. McHaffee	Christian county, Mo	1
30	J. C. Stillions	do	1

THE STATE OF MISSOURI, *County of Pettis, ss:*

Abstract of votes given at an election held at Georgetown, Pettis county, Missouri, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general of the State of Missouri, —— senators, —— representatives in the legislature, for and against a State convention, for two delegates to the State convention, a circuit attorney, for a sheriff, county treasurer, county jailer, coroner, and justices of the county court for ——— county.

Names of persons voted for, and for what office, and the number of votes given each candidate.

* * * * * *

For Congress, 4th district, —— ——— had 30 votes.

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election.

Witness our hands this eighth day of November, 1864.

MILTON M. POTTER,
C. F. BREEDLOVE,
W. M. PATTERSON,
Judges.

Attest:
L. M. ROUNDTREE,
JAMES MCDANIEL, *Clerks.*

STATE OF MISSOURI, *County of Greene, ss:*

I, John W. Lisonby, clerk of the county court, within and for said county, do hereby certify that the foregoing is a true and correct transcript of a poll-book now on file in my office, so far as the same relates to the votes given for a representative to the 39th Congress of the United States, from the 4th congressional district of the State of Missouri.

In witness whereof, I have hereunto set my hand and affixed the seal of said county court, at office in Springfield, this 13th day of February, A. D. 1866.

[SEAL.] JOHN W. LISONBY, *Clerk.*

XXXI.

STATE OF MISSOURI, *County of Newton, ss:*

Poll-book of an election of eleventh regiment of Missouri cavalry volunteers, held at Harper's farm, Conway county, Arkansas, on the eighth day of November, eighteen hundred and sixty-four, for eleven electors for President and Vice-President, a member of the Congress of the United States for the fourth district, a governor, lieutenant governor, secretary of state, auditor of public accounts, State treasurer, register of lands, and attorney general for the State of Missouri, five senators, twelve representatives in the legislature, for and against a State convention, for ten delegates to the State convention, a circuit attorney, assistant circuit attorney, for a sheriff, county treasurer, county jailer, coroner, judge of probate court, clerk of the circuit court, justices of the county court, and county school commissioner for Newton county, Missouri; H. L. Wheat, L. B. Brown and A. B. Kauffman being judges, and James M. Edgar and Joseph S. Edsall being clerks of said election, who were severally sworn, as the law directs, previous to their entering on the duties of their respective offices.

STATE OF ARKANSAS, *County of Conway, ss:*

We, H. L. Wheat, L. B. Brown, and A. B. Kauffman, do swear that we will impartially discharge the duty of judges of the present election, according to law and the best of our abilities, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualifications of voters and civil officers in Missouri.

H. L. WHEAT.
L. B. BROWN.
A. B. KAUFFMAN.

Sworn to and subscribed before me, the 8th day of November, 1864.

WM. D. WOOD,
Colonel, Commanding Officer.

COUNTY OF CONWAY, *ss:*

We, James M. Edgar and Joseph S. Edsall, do swear that we will faithfully record the names of all voters at the present election, and distinctly carry out, in lines and columns, the name of the person for whom each voter votes, and will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of the ordinance adopted June 10, A. D. 1862, defining the qualification of voters.

JIM M. EDGAR.
JOSEPH S. EDSALL.

Sworn to and subscribed before me, the eighth day of November, 1864.

H. L. WHEAT,
One of the Judges of Election.

FOR CONGRESS—FOURTH DISTRICT.

No.	Voter's name.	Residence.	S.H. Boyd.
1	George W. Peters	Neosho, Mo	1

STATE OF ARKANSAS, *County of Conway, ss:*

Abstract of votes given at an election held at Harper's farm, Conway county, Arkansas, on the eighth day of November, eighteen hundred and sixty-four.

Names of persons voted for, and for what office, and the number of votes given each candidate.

* * * * * * * *

For Congress, fourth district, S. H. Boyd had one vote.

* * * * * * * *

We, the undersigned judges, certify the foregoing to be a true abstract of the votes given at said election.

Witness our hands this eighth day of November, 1864.

H. L. WHEAT,
L. B. BROWN,
A. B. KAUFFMAN,
Judges.

Attest:
JIM M. EDGAR,
JOSEPH S. EDSALL,
Clerks.

STATE OF MISSOURI, *County of Greene, ss:*

I, John W. Lisonby, clerk of the county court within and for said county, do hereby certify that the foregoing is a true and correct transcript of a poll-book now on file in my office, so far as the same relates to the votes given for a representative to the 39th Congress of the United States from the fourth congressional district of the State of Missouri.

In witness whereof, I have hereunto set my hand and affixed the seal of said county court, at office in Springfield, this thirteenth day of February, A. D. 1866.

[SEAL.]

JOHN W. LISONBY, *Clerk.*

INDEX.

BOYD vs. KELSO.

		Page.
A.	Notices of contest	1
B.	Certificates of Rodman	8
C.	Barry county depositions	17
D.	Greene county depositions	23
E.	Jasper county depositions	29
F.	Poll-book, company I, 7th pro. regiment	32
G.	Poll-book, company A, 46th regiment	35
H.	Poll-book, blank	37
I.	Poll-book, company L, 6th pro. regiment	39
K.	Poll-book, Knight's precinct	41
L.	Poll-book, company M, 8th M. S. M., (No. 1)	44
M.	Poll-book, Crane Creek precinct	46
N.	Poll-book, Flat Creek precinct	50
O.	Poll-book, company G, 7th pro. regiment	54
P.	Poll-book, company M, M. S. M. (No. 2)	57
Q.	Poll-book, Mountain precinct	60
R.	Poll-book, company L, 8th M. S. M.	62
S.	Poll-book, company D, 46th regiment	65
T.	Poll-book, company B, 7th pro. regiment	70
U.	Poll-book, company C, 7th pro. regiment	74
V.	Poll-book, company I, Ind Missouri artillery	77
W.	Poll-book, company L, 8th M. S. M. (No. 1)	83
X.	Poll-book, company L, 8th M. S. M. (No. 2)	85
Y.	Poll-book, Pond Creek precinct	87
Z.	Poll-book, company H, 8th M. S. M	91
I.	Poll-book. company M, 8th M. S. M. (No. 3)	93
II.	Poll-book, Boone precinct	94
III.	Poll-book, Center precinct	98
IV.	Poll-book, Neosho (No. 1)	102
V.	Poll-book, company M, 8th M. S. M. (No. 4)	106
VI.	Poll-book, Neosho (No. 2)	107
VII.	Muster-in roll of company I, Ind. artillery	111
VIII.	Poll-book, company G, 6th pro. regiment	114
IX.	Poll-book, company A, 73d E. M. M	116
X.	Five muster-in rolls, 8th M. S. M	119
XI.	Certificate of clerk of Lawrence county	129
XII.	Answer of John R. Kelso	130
XIII.	Depositions from Greene county	132
XIV.	Depositions from Montgomery county	154
XV.	Certificate of Lawrence county	156
XVI.	Certificate of Greene county	156
XVII.	Certificate of Christian county	157
XVIII.	Certificate of Wright county	157
XIX.	Certificate of Rodman county	157
XX.	Abstract, Polk county votes	158
XXI.	Abstract, Dallas county	159
XXII.	Abstract, Barry county	159
XXIII.	Poll book, 6th Missouri volunteer cavalry (No. 1)	160
XXIV.	Poll-book, 6th Missouri volunteer cavalry (No. 2)	161
XXV.	Poll-book, 6th Missouri volunteer cavalry (No. 3)	163
XXVI.	Poll-book, company C, 24th Missouri infantry	165
XXVII.	Poll-book, company G, 24th Missouri infantry	167
XXVIII.	Poll-book, company H, 24th Missouri infantry	169
XXIX.	Poll-book, 8th M. S. M. cavalry	171
XXX.	Poll-book, company U, 4th M. S. M. cavalry	174
XXXI.	Poll-book, 11th Missouri volunteer cavalry	176

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES { MIS DOC. No. 93.

CIVIL RIGHTS BILL, &c.

COMMUNICATION

FROM THE

NEW YORK EAST ANNUAL CONFERENCE

OF THE

METHODIST EPISCOPAL CHURCH,

EXPRESSIVE OF

Thanks for the passage of the civil rights bill, &c.

APRIL 24, 1866.—Laid on the table and ordered to be printed.

BROOKLYN, N. Y., *April* 10, 1866.

DEAR SIR: The New York East Annual Conference of the Methodist Episcopal Church unanimously adopted, at its session this morning, the following report, which I am directed to forward to you, requesting it to be laid before the honorable House of Representatives of the United States.

GEORGE W. WOODRUFF,
[*Secretary, 22 Seventh street, New York.*

Hon. SCHUYLER COLFAX.

The committee on the state of the country beg leave to report:

At our last session we rejoiced greatly that the war, by the downfall of Richmond and the surrender of the principal rebel army, was virtually ended. A new era, full of promise, was just dawning upon us. We had four years before sent to the President of the United States assurances of loyal support in the contest begun by the firing upon Fort Sumter. We now sent to him congratulations that the strife was ended, the victory gained; that slavery was dead, and that the Constitution was maintained.

These congratulations never reached the ear for which they were designed. The President to whom the nation looked, and whom the nation trusted and loved, had fallen. He had been a hero and patriot; he was now a martyr.

In the calamity we became anxious, but not distrustful. We believed that God would control in the affairs of the nation, and we hoped that he upon whom the executive duties now devolved would show himself equal to his new position, and prove in his administration his loyalty to humanity and the civil rights of the people. We are not disposed to utter hard words or pronounce severe

judgment, but it pains us to be constrained to say these hopes have in part only been realized.

We must now look to the Congress and the people. We thank the Senate and the House of Representatives for passing the civil rights bill over the veto. This act sends a thrill of delight through the loyal heart of the nation, and gives hope that the great moral results which philanthropists and far-seeing statesmen have ardently wished should follow the sanguinary contest are not to be sacrificed to the animosities or ambition of aspiring men.

The nation, to be worthy of itself and the place it should occupy in history, must assert and maintain the great *principle of right*. "Righteousness exalteth a nation," and the only nation that can be permanently prosperous and happy is the nation whose God is Jehovah. "For the nation and kingdom that will not serve Thee shall perish."

We record with devout thankfulness that the pulpit in the loyal portions of the country has been outspoken on the great questions of the times, and has been true to humanity, to constitutional liberty, and to God. Freedom of the pulpit and the press must be held sacred, and any reconstruction of the States lately in rebellion that does not carry with it this freedom is not in accordance with the genius of our government and the provisions of the Constitution of the United States. The Bible—our text-book and standard—teaches the common origin and equality of the race. We should, therefore, as pastors and teachers rising above the prejudices of ignorance or education, maintain the rights of all classes of people among us, and claim the brotherhood of man.

It has been our pleasure—and we may be pardoned for being proud of our conference record—to co-operate with a loyal government, a loyal Congress, a loyal and heroic army, and a loyal people in maintaining the Constitution framed for us by our fathers; and as we have done in the past, so we mean, by the blessing of God, to do in the future. We will be friends of our country's friends—opponents of our country's foes.

GEORGE W. WOODRUFF, *Secretary*.

ESCUTCHEONS OF THE STATES OF WEST VIRGINIA AND NEVADA

LETTER

FROM THE

COMMISSIONER OF PUBLIC BUILDINGS,

REPORTING

Compliance with the resolution of the House of 13th February last, ordering coats-of-arms to be placed in the ceiling of the House of Representatives.

APRIL 25, 1866.—Referred to the Committee on Appropriations and ordered to be printed.

OFFICE OF THE COMMISSIONER OF PUBLIC BUILDINGS,
CAPITOL OF THE UNITED STATES,
Washington City, April 25, 1866.

SIR: In compliance with the resolution of the House of Representatives of the United States of February 13, 1866, I have caused to be painted, and placed in two of the panels of the ceiling of the hall of the House of Representatives, the escutcheons of the States of West Virginia and Nevada.

I am, with high respect, your obedient servant,

B. B. FRENCH,
Commissioner of Public Buildings.

HON. SCHUYLER COLFAX,
Speaker of the House of Representatives of the United States.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 95.

SOLDIERS' BOUNTIES.

MEMORIAL

OF THE

LEGISLATURE OF WISCONSIN,

FOR

An equalization of soldiers' bounties.

APRIL 26, 1866.—Referred to the Committee on Military Affairs and ordered to be printed.

MEMORIAL to Congress for an equalization of soldiers' bounties.

To the honorable the Senate and House of Representatives of the United States:

The memorial of the legislature of the State of Wisconsin respectfully represents: That the unselfish patriotism and the heroic services of the volunteer soldiers in the war of the rebellion entitle them to the lasting gratitude of the whole American people; that in the awarding of bounties to volunteers, from time to time, during the war, inequalities have occurred which appear like discrimination between the volunteers as to the degree of patriotism which moved them in the performance of services which cannot be recompensed by money; that, in the opinion of your memorialists, it would be more in accordance with justice to the volunteer soldiery, and a more honorable recognition of their services, if the bounties awarded by the government should be so equalized as to be nearly as possible in proportion to the time of actual service.

HENRY D. BARRON,
Speaker of the Assembly.
W. H. CHANDLER,
President of the Senate pro tem.

Approved April 12, 1866.

LUCIUS FAIRCHILD, *Governor.*

STATE OF WISCONSIN, *Secretary's Office, ss:*

The secretary of state of the State of Wisconsin hereby certifies that the foregoing has been compared with the original memorial deposited in this office, and that the same is a true and correct copy thereof, and of the whole of such original.

In witness whereof, I have hereunto set my hand and affixed the great seal [SEAL.] of the State, at the capitol, in Madison, this twenty-third day of April, A. D. 1866.

THO. S. ALLEN *Secretary of State.*

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 96.

MAIL ROUTE IN WISCONSIN.

MEMORIAL

OF THE

LEGISLATURE OF WISCONSIN,

FOR

A mail route from Trempealeau to Sumner, in that State.

APRIL 26, 1866.—Referred to the Committee on the Post Office and Post Roads and ordered to be printed.

MEMORIAL to Congress for a mail route from Trempealeau to Sumner, in Trempealeau county.

The memorial of the legislature of the State of Wisconsin respectfully represents, that the interest and convenience of the inhabitants of the county of Trempealeau require the establishment of a mail route from Trempealeau village, in the county of Trempealeau, by the way of Arcadia, Burnside, and Hale, to Sumner, in said county.

Your memorialists would, therefore, respectfully ask that the aforesaid mail route be established, and that the service on said route be put on at as early a period as practicable.

HENRY D. BARRON,
Speaker of the Assembly.
WYMAN SPOONER,
President of the Senate.

Approved April 12, 1866.

LUCIUS FAIRCHILD,
Governor.

STATE OF WISCONSIN, *Secretary's Office, ss:*

The secretary of state of the State of Wisconsin hereby certifies that the foregoing has been compared with the original memorial deposited in this office, and that the same is a true and correct copy thereof, and of the whole of such original.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State at the capitol, in Madison, this twenty-third day of April, A. D. 1866.

[SEAL.]

THOMAS S. ALLEN,
Secretary of State.

HARBOR AT SUPERIOR

MEMORIAL

OF THE

LEGISLATURE OF WISCONSIN,

FOR THE

Improvement of the harbor at Superior, in that State.

APRIL 26, 1866.—Referred to the Committee on Commerce and ordered to be printed.

A MEMORIAL to Congress for the improvement of the harbor at Superior, in the State of Wisconsin.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

The memorial of the legislature of the State of Wisconsin respectfully represents, that the harbor of Superior furnishes the only safe and convenient place of entrance for vessels at or near the west end of Lake Superior; that a large number of steam and sail vessels, engaged in the commerce of the upper lakes, take and discharge their cargoes at said harbor during the season of navigation, and find it the only place of safe resort in case of storms; that said harbor is spacious and commodious, and has sufficient depth of water for vessels of the heaviest draught to ride in; but the entrance thereto is crooked and obstructed by bars, rendering it difficult at all times to enter, and both unsafe and difficult in rough weather.

Your memorialists believe that an appropriation of fifty thousand dollars would be sufficient to straighten the channel and render the entrance safe and easy.

They therefore earnestly pray for an appropriation of fifty thousand dollars for that purpose, believing the same called for by the wants of the people and the general wants of commerce.

HENRY D. BARRON,
Speaker of the Assembly.
W. H. CHANDLER,
President of the Senate pro tem.

Approved April 12, 1866.

LUCIUS FAIRCHILD,
Governor.

STATE OF WISCONSIN, *Secretary's Office, ss:*

The secretary of state of the State of Wisconsin hereby certifies that the foregoing has been compared with the original memorial deposited in this office, and that the same is a true and correct copy thereof, and of the whole of such original.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State, at the capitol in Madison, this twentieth day of April, A. D. 1866.

[SEAL.]

THOS. S. ALLEN,
Secretary of State.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 98.

SHIP CANAL.

MEMORIAL

OF THE

LEGISLATURE OF WISCONSIN,

IN RELATION TO

A ship canal thorugh the State, connecting the Mississippi river with the waters of Lake Michigan.

APRIL 26, 1866.—Referred to the Committee on Commerce and ordered to be printed.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

The memorial of the legislature of the State of Wisconsin respectfully represents, that by memorial number one, approved January 22, 1863, and memorial number 15, approved April 1, 1864, and memorial number five, approved February 27, 1865, we, the legislature of Wisconsin, have represented to your honorable body the practicability, importance and necessity for enlarging the present water channel through this State, to admit of a uniform steamship navigation from the Mississippi river to Lake Michigan. The facts showing the practicability, importance, and necessity for this enlargement appear in the several memorials aforesaid, to which we most respectfully call your attention.

It is sufficient to add that, in our opinion, the necessity for this work, to which your attention has been directed from year to year, is felt more generally throughout the State and throughout the northwest, and the entire country, and is more pressing now than at any previous time.

We therefore respectfully and urgently petition you, at the present session of Congress, to appoint competent engineers to make an examination and survey of the water-channel aforesaid, and report to the next session of Congress the proper maps and profiles of such survey, with an estimate of the cost of the work required to make the channel aforesaid of a width and depth to answer the purposes intended, and the requirements of the Secretary of War.

Be it therefore resolved by the assembly, (the senate concurring,) That the governor be, and he is hereby, authorized and requested to affix his official signature hereto, and forward a copy of this memorial to the President of the United States, the president of the Senate, the speaker of the House of Repre-

sentatives, and to each of our senators and representatives in the Congress of the United States.

HENRY D. BARRON,
Speaker of the Assembly.
WYMAN SPOONER,
President of the Senate.

Approved April 12, 1866.

LUCIUS FAIRCHILD,
Governor.

STATE OF WISCONSIN, *Secretary's Office, ss:*

The secretary of state of the State of Wisconsin hereby certifies that the foregoing has been compared with the original memorial deposited in this office, and that the same is a true and correct copy thereof, and of the whole of such original.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State, at the capitol in Madison, this twenty-third day of April, [SEAL] A. D. 1866.

THOMAS S. ALLEN,
Secretary of State.

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No 99.

LIBRARY FOR MONTANA.

MEMORIAL

OF THE

LEGISLATURE OF MONTANA,

ASKING FOR

An appropriation for a territorial library and other purposes.

APRIL 30, 1866.—Referred to the Committee on the Territories and ordered to be printed.

To the Congress of the United States:

Your memorialists, the council of the legislative assembly of the Territory, (the house concurring,) would respectfully represent, that they have learned from reliable information that an appropriation was made by Congress for a territorial library for Montana, and that said library has been purchased and put in charge of a government official, appointed for this Territory; that although said official has arrived in the Territory and departed from it again, the said library has not come to hand; therefore,

Your memorialists pray the Congress to appropriate a sufficient sum for a territorial library for Montana, to be purchased and placed in charge of some discreet and proper person, to be sent in his charge to the librarian of the Territory, where it is at this time much needed.

Your memorialists instruct the delegate from this Territory to present the subject to Congress for the securing of said object; and your memorialists will ever pray.

ANSON S. POTTER,
President of the Council.
A. E. MAYHEW,
Speaker of the House of Representatives.

MARCH 24, 1866.

EXECUTIVE OFFICE,
Virginia City, Montana Territory, March 27, 1866.

Approved:

THOMAS FRANCIS MEAGHER,
Acting Governor Montana Territory.

True copy:

THOMAS FRANCIS MEAGHER,
Secretary and Acting Governor.

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES | MIS. DOC. No. 100.

MONTANA.

MEMORIAL

OF THE

LEGISLATURE OF MONTANA,

PROTESTING

Against a joint resolution now pending, asking for the annexation of a certain portion of said Territory to the Territory of Idaho.

APRIL 30, 1866.—Referred to the Committee on Territories and ordered to be printed.

To the Congress of the United States:

Your memorialists, the council of the legislative assembly of Montana, (the house concurring,) would represent, that they have learned a movement has been put in motion before the Senate and House of Representatives of the Congress of the United States to divide the Territory of Montana, cutting off a portion known as the Bitter Root and Blackfoot country. Your memorialists, the council and house of the legislative assembly of Montana, with a full knowledge of the natural and proper boundary lines now established for our Territory, and urged by the earnest solicitations of every person residing in said Bitter Root and Blackfoot country to oppose said movement, would most respectfully and earnestly protest against such division of this Territory, the present lines on the north and west boundary being upon a natural barrier, running on the summit of the Bitter Root mountains to the one hundred and sixteenth meridian of longitude, thence north to the British lines. Your memorialists request and instruct our delegate to Congress, Colonel Samuel McLean, to present the subject to the House of Representatives of the Congress of the United States, to urge with force and energy this our just protest against such division.

ANSON S. POTTER,
President of the Council.
A. E. MAYHEW,
Speaker of the House of Representatives.

MARCH 24, 1866.

EXECUTIVE OFFICE,
Virginia City, M. T., March 27, 1866.

Approved.

THOMAS FRANCIS MEAGHER,
Acting Governor of Montana Territory.

True copy:

THOMAS FRANCIS MEAGHER,
Secretary and Acting Governor.

SILVER PEAK MAIL.

RESOLUTION

OF THE

LEGISLATURE OF NEVADA,

RELATIVE TO

A mail route in said State.

APRIL 30, 1866.—Referred to the Committee on the Post Office and Post Roads and ordered to be printed.

CONCURRENT RESOLUTION.

Resolved by the senate, (the assembly concurring,) That our senators in Congress and our representatives be requested to use all due exertion to obtain the establishment of a daily mail between the city of Austin, in the county of Lander, and Silver Peak, in Esmeralda county, by way of Kingston, Ophir Cañon, and San Antonio.

Passed March 1, 1866.

STATE OF NEVADA, *Secretary's Office, ss:*

I, C. N. Noteware, secretary of state of the State of Nevada, do hereby certify that the foregoing is a true copy of the original resolution now on file in my office.

In witness whereof, I have hereunto set my hand and affixed the great seal of State. Done at office, in Carson City, Nevada, this 3d day of March 1866.

[SEAL]

C. N. NOTEWARE,
Secretary of State.

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 102.

UNITED STATES BRANCH MINT.

RESOLUTION

OF THE

LEGISLATURE OF NEVADA,

RELATIVE TO

The United States branch mint.

APRIL 30, 1866.—Referred to the Committee of Ways and Means and ordered to be printed.

CONCURRENT RESOLUTION regarding United States branch mint.

Whereas an appropriation has been made by the federal government for the building of a United States branch mint in Carson City, in this State; and

Whereas the long and continued delay in the commencement of such proposed mint buildings at the place designated has entailed great loss and inconvenience to the people of this State; and

Whereas the absolute demand for the speedy establishment of a branch mint in this State is made manifest from the large and increasing production of bullion from our mines and those lying in contiguous territories: Therefore,

Be it resolved by the assembly, (the senate concurring,) That we most respectfully urge upon our senators and representative in Congress to employ all proper efforts to at once have inaugurated, and hastened with all proper despatch, the work of building a United States branch mint in this State, as contemplated by acts of Congress.

Resolved, That the governor of this State be requested to forward a copy of the foregoing preamble and resolution to each of our senators and our representative in Congress.

JAS. A. BANKS,
Speaker of the Assembly.
W. E. ALLEN,
Clerk of the Assembly.
J. S. CROSMAN,
President of the Senate.
GEORGE R. AMMOND,
Secretary of the Senate.

Assembly concurrent resolution No. —, in relation to United States branch mint, originated January 26, 1866.

Passed the assembly February 15, 1866.

W. E. ALLEN,
Clerk of the Assembly.

Passed the senate February 23, 1866.

GEORGE R. AMMOND,
Secretary of the Senate.

STATE OF NEVADA, *Secretary's Office, ss:*

I, C. N. Noteware, secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original, entitled "Concurrent resolution regarding United States branch mint," which passed the legislature of Nevada on the 23d day of February, 1866, and now on file in my office.

Witness my hand and the great seal of State. Done at office, in Carson City, this 27th day of February, A. D. 1866.

[SEAL.]

C. N. NOTEWARE,
Secretary of State.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 103.

WELLINGTON AND AUSTIN MAIL ROUTE.

RESOLUTION

OF THE

LEGISLATURE OF NEVADA,

RELATIVE TO

Mail route from Wellington to Austin.

APRIL 30, 1866.—Referred to the Committee on the Post Office and Post Roads and ordered to be printed.

CONCURRENT RESOLUTION in regard to mail service from Wellington's Station, Esmeralda county, to Austin, Lander county, in the State of Nevada.

Whereas their growing importance, increasing population, and extensive developments imperatively require mail facilities for Mammoth and Ione, in the State of Nevada: Therefore, be it

Resolved by the assembly, (the senate concurring.) That our senators be, and are hereby, instructed, and our representative in Congress requested, to secure the establishment of a weekly mail from Wellington's Station, Esmeralda county, to Austin, in Lander county, *via* Mammoth and Ione, in Nye county.

Resolved, That his excellency the governor be requested to forward a copy of the foregoing resolution to each of our representatives in Congress.

JAS. A. BANKS,
Speaker of the Assembly.
J. S. SLINGERLAND,
President pro tem. of the Senate.

H. E. ALLEN,
Clerk of the Assembly.
GEO. R. AMMOND,
Secretary of the Senate.

STATE OF NEVADA, *Secretary's Office, ss:*

I, C. N. Noteware, secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original resolution, which passed the legislature of the State of Nevada on the 17th day of February, 1866, and now on file in my office.

In testimony whereof, I have hereunto set my hand and affixed the great seal of State. Done at office in Carson city, Nevada, on this 26th day of February, A. D. 1866.

[SEAL.]

C. N. NOTEWARE,
Secretary of State.

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 104.

JEFFERSON DAVIS.

RESOLUTION

OF THE

LEGISLATURE OF NEVADA,

Relative to Jefferson Davis.

APRIL 30, 1866.—Referred to the Committee on the Judiciary and ordered to be printed.

STATE OF NEVADA,
Senate Chamber, Carson City, January 15, 1866.

Whereas the government of the United States have in custody the arch-traitor Jefferson Davis, president of the late so-called Confederate States, on the charge of treason against said government; and

Whereas the loyal people of this State believe him to be guilty not only of treason, but of other crimes of almost equal enormity: Therefore,

Be it resolved by the senate, (the assembly concurring,) That Andrew Johnson, President of the United States, be respectfully requested to bring said Davis to a speedy trial, and if convicted of the crimes alleged, that he be punished therefor, as the law directs.

Resolved, That his excellency the governor be requested to transmit copies of these resolutions to each of our senators and representative in Congress.

J. S. CROSMAN,
President of the Senate.
JAMES A. BANKS,
Speaker of the Assembly.

GEORGE R. AMMOND,
Secretary of the Senate.
U. E. ALLEN,
Clerk of the Assembly.

Senate resolutions relative to the trial of Jefferson Davis (No. 35) introduced in the senate January 15, 1866.

Passed the senate January 16, 1866.

GEORGE R. AMMOND,
Secretary of the Senate.

Passed the assembly January 26, 1866.

U. E. ALLEN, *Clerk of the Assembly.*

STATE OF NEVADA, *Secretary's Office, ss:*

I, C. N. Noteware, secretary of state of the State of Nevada, hereby certify that the foregoing is a true, full and correct copy of the original resolution now on file in my office.

In testimony whereof, I have hereunto set my hand and affixed the great seal of State. Done at office in Carson City, Nevada, January 29, 1866.

[SEAL.]

C. N. NOTEWARE, *Secretary of State.*

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 105.

CRYSTAL SPRINGS MAIL.

RESOLUTIONS

OF THE

LEGISLATURE OF NEVADA,

RELATIVE TO

The Crystal Springs mail.

APRIL 30, 1866.—Referred to the Committee on the Post Office and Post Roads and ordered to be printed.

Whereas the recent discoveries of very rich and extensive mining districts in the eastern portion of this State have and will continue to attract a large population to that section of the country; and

Whereas we believe that the interest of the people will be greatly enhanced by mail facilities: Therefore,

Be it resolved by the assembly, (the senate concurring,) That our senators be instructed, and our representative in Congress be requested, to use all honorable means to procure a weekly mail from Ione to Crystal Springs, *via* Ophir Cañon, Boiling Springs, and San Antonio, in this State.

Resolved, That the governor be requested to forward a copy of these resolutions to our United States senators and representative in Congress.

JAS. A. BANKS,
Speaker of the Assembly.
J. S. CROSMAN,
President of the Senate.

U. E. ALLEN,
Clerk of the Assembly.
GEO. R. AMMOND,
Secretary of the Senate.

STATE OF NEVADA, *Secretary's Office, ss:*

I, C. N. Noteware, secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original resolutions which passed the legislature of Nevada on the 1st day of March, 1866, and now on file in my office.

In testimony whereof, I have hereunto set my hand and affixed the great seal of State. Done at office, in Carson City, Nevada, this 5th day of March, A. D. 1866.

[SEAL.]

C. N. NOTEWARE,
Secretary of State.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 106.

SECURITY OF MINING TITLES.

RESOLUTION

OF THE

LEGISLATURE OF NEVADA

AGAINST

The sale of mines.

APRIL 30, 1866.—Referred to the Committee on Public Lands and ordered to be printed.

[Telegram.]

CARSON CITY, NEVADA,
March 8, 1866.

Hons. Nye, Stewart, and Ashley, members of Congress:

I send the following, as requested by the legislature:

"Whereas the legislature of the State of Nevada has enacted a law providing for the perfect security of mining titles as against all actions apart from that of the general government; and whereas it is felt to be a manifest injustice to compel the needy prospector, who has by the sacrifice of time and labor here explored the country, and discovered the mineral wealth of this State, to compete with organized capital in the purchase in fee of such property: Therefore,

"*Resolved by the assembly,* (the senate concurring,) That our senators and representative be instructed to favor the continuance of the present policy of the general government in regard to mineral lands, and to oppose all measures tending to a sale of the same."

H. G. BLAISDELL,
Governor of Nevada.

EQUALIZATION OF BOUNTIES.

RESOLUTION

OF THE

LEGISLATURE OF PENNSYLVANIA,

FOR AN

Equalization of bounties.

MAY 7, 1866.—Referred to the Committee on Military Affairs and ordered to be printed.

JOINT RESOLUTION instructing the senators and representatives in Congress from Pennsylvania relative to the equalization of bounties.

Whereas there is eminent justice in the petitions and desires of a large majority of the late soldiers and sailors in the war to suppress rebellion, that the general government shall equalize, by appropriate legislation, as far as possible, the bounties paid at different times during the war to secure enlistments;

And whereas it is believed this equalization can be done without too largely increasing the public burdens; and it is proper that Pennsylvania, always contributing so promptly and liberally of her citizens and her resources, to save the nation's life, should formally express her wishes and desires on so just a measure: Therefore,

Be it resolved by the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly met, That our senators and representatives in Congress be instructed, and they are hereby requested, to advocate and vote for a measure that will equalize the bounties paid by the general government, at different times, among the late soldiers and sailors, in the war against rebellion, adopting, in such equalization, the principle of paying those enlisted men who have been honorably discharged the service eight and one-third dollars per month for the time actually served, deducting therefrom the amount of bounty they have already received from the general government, so that the amount to be paid, with that already received, shall in no case exceed the rate of eight and one-third dollars per month, for the time actually served; that no bounty whatever, in this measure for equalization, should be paid to those soldiers and sailors whose term of enlistment was for a less period than six months, nor to those who deserted the service, nor to those who have been discharged before the expiration of their term of enlistment at their own request, except for the purpose of re-enlistment, or accepting promotion, where such promotion has been subsequently received, unless from disability, nor to those who were prisoners of war, from the rebel armies, at the date of their enlistment, nor to those who have sold and disposed of, in any way, for gain, their final discharge papers, or any interest in any bounty provided for by any act of Congress;

that where a soldier or sailor, who would be entitled to the bounty above proposed, is dead, the same shall be paid to that class of his personal representatives who are entitled to receive pensions under the present laws.

Resolved, That Congress should provide for the payment of the bounties above proposed by authorizing the issuing of United States five per cent. bonds, payable within a reasonable period, out of a fund to be raised by a tax on the cotton-growing interest of the country, and out of the proceeds of the public lands; giving, however, to the person entitled to the bounty the privilege to receive the whole, or a part of the same, in land warrants, at a specified price, not exceeding seventy-five cents per acre.

Resolved, That in the measure hereby recommended for the equalization of bounties, the persons entitled to the same, and the government, should be fully protected against the frauds, impositions, and exactions of unscrupulous speculators and claim agents.

Resolved, That his excellency the governor be requested to forward a copy of these resolutions to our senators and representatives in Congress.

JAMES R. KELLEY,
Speaker of the House of Representatives.
DAVID FLEMING,
Speaker of the Senate.

Approved the twelfth day of April, anno Domini one thousand eight hundred and sixty-six.

A. G. CURTIN.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisbury, April 16, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a full, true, and correct copy of the original act of the general assembly, entitled "Joint resolution instructing the senators and representatives in Congress from Pennsylvania relative to the equalization of bounties," as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and caused the seal of the secretary's office to be affixed the day and year above written.

[L. S.]

ELI SLIFER,
Secretary of the Commonwealth.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 108.

FREEDMEN'S BUREAU BILL.

RESOLUTION

OF THE

LEGISLATURE OF CALIFORNIA,

RELATIVE TO

The votes by the delegation of that State on the veto of the Freedmen's Bureau bill.

MAY 10, 1866.—Laid on the table and ordered to be printed.

STATE OF CALIFORNIA,
Department of State.

I, B. B. Redding, secretary of state of the State of California, do hereby certify that the annexed is a true, full, and correct copy of assembly concurrent resolution No. 58, now on file in my office.

Witness my hand and the great seal of State, at office in Sacramento, California, the thirteenth day of March, A. D. 1866.

[SEAL.] B. B. REDDING,
Secretary of State.

Resolved by the assembly, (the senate concurring,) That we heartily indorse the course of those of our delegation in Congress who voted for the passage of the bill known as the Freedmen's Bureau bill, and that we indorse the course of the Hon. John Conness in voting against sustaining the President's veto of the same.

Resolved, That his excellency the governor be and is hereby requested to transmit the above resolution by telegraph to our delegation in Congress.

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 109.

CIVIL RIGHTS.

ADDRESS

OF THE

COLORED CITIZENS OF CHICAGO

TO

The Congress of the United States.

MAY 10, 1866.—Referred to the Committee on Reconstruction and ordered to be printed.

THE CIVIL RIGHTS BILL.—MASS MEETING OF THE COLORED PEOPLE.

A largely attended and enthusiastic meeting of the colored citizens of this city was held at the Olive Baptist church, on Harrison street, on Tuesday evening, for the purpose of giving expression to their appreciation of the action of Congress in re-enacting the civil rights bill. The meeting was organized by the election of John Jones, esq., chairman, and Lewis B. Waite, secretary. A committee of five on resolutions was appointed. During the absence of the committee the meeting was addressed by John Jones, esq., J. J. Byrd and others. After a lengthy deliberation the committee returned and reported the following resolutions:

Whereas the hour has dawned upon us in which the Congress of the United States, exalting itself to the true dignity of the solemn occasion, has asserted its prerogative, as the grand legislature of the nation, in passing into a law the measure popularly known as the "civil rights bill," over the veto of his excellency Andrew Johnson, the incumbent of the presidential chair, thus according a new *magna charta* to all persons dwelling beneath the folds of the fire-cleansed and blood-baptized flag of our country; and whereas it is among the ineradicable duties of a people who have been made the recipients of a great benefit to be rightfully grateful to those conferring it upon them, and upon suitable occasions to give proper expression to the same: Therefore—

Be it resolved, by the colored citizens of Chicago in mass meeting assembled, on this the 10th day of April, 1866, that a committee, consisting of seven persons, be elected by this house to prepare an address expressive of the grateful and patriotic feelings of the colored citizens of Chicago toward the Senate and House of Representatives of the United States in Congress assembled for their noble devotion to the cause of country, liberty, justice and humanity, as evinced in their passing into a law of the land the "civil rights bill" recently vetoed by the President of the United States.

Resolved, That the committee so created be, and they are hereby, instructed to report the prepared address to a future mass meeting of the citizens, to abide their action.

Resolved, That the thanks of this meeting are abundantly due, and are hereby heartily tendered, to the Hon. Lyman Trumbull, for preparing, defending, and supporting the "civil rights bill" to a successful conclusion; and to the Hon. Richard Yates, erewhile the astute and patriotic governor of Illinois, and now her liberty-loving representative in the general Senate, for his manly promulgation and support of the grand idea that equality of rights for all men is the true, the safe, and the only reliable foundation possible to the support of American republican liberty.

Resolved, That the address shall be superscribed to each senator and each representative who voted for the "civil rights bill" upon its final passage, and that two properly engrossed copies of the same be made and transmitted, the one to the Hon. the President *pro tempore* of the Senate, and the other to the Hon. the Speaker of the House of Representatives, at Washington, D. C, under the direction of the mass meeting of the citizens accepting the same.

Resolved, That the citizens be requested to take into consideration the subject of a future presentation to Judge Trumbull of some suitable evidence of their appreciation of his senatorial services in behalf of liberty and virtue; and that the ladies of Chicago be, and they are hereby, especially invited to take a large interest in the matter, bestowing upon it their taste, their talent, and their favor, as that upright enterprise is best assured of success that is cherished in the heart and warmed into activity by the genial smile of woman.

The resolutions were unanimously adopted amid much applause, and the meeting then adjourned.

Hon. Messieurs Anthony, Brown, Chandler, Clark, Conness, Cragin, Creswell, Edmunds, Howard, Howe, Kirkwood, Fessenden, Foster, Grimes, Harris, Henderson, Lane, of Indiana; Morgan, Morrill, Nye, Poland, Pomeroy, Ramsey, Sherman, Sprague, Stewart, Sumner, Trumbull, Wade, Willey, Williams, Wilson, and Yates, United States Senate; Hon. Messieurs Alley, Allison, Delos R. Ashley, James M. Ashley, Baker, Baldwin, Banks, Barker, Baxter, Beaman, Benjamin, Bidwell, Boutwell, Brandegee, Bromwell, Broomall, Buckland, Bundy, Reader W. Clarke, Sidney Clarke, Cobb, Colfax, Conkling, Cook, Cullom, Darling, Davis, Dawes, Defrees, Delano, Deming, Dixon, Dodge, Donnelly, Eckley, Eggleston, Eliot, Farnsworth, Farquhar, Ferry, Garfield, Grinnell, Griswold, Hale, Abner C. Harding, Hart, Hayes, Henderson, Higby, Hill, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, John H. Hubbard, James R. Hubbell, Hulburd, James Humphrey, Ingersoll, Jenckes, Kasson, Kelley, Kelso, Ketcham, Laflin, George V. Lawrence, Wm. Lawrence, McClurg, McIndoe, McKee, McRuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, O'Neill, Orth, Paine, Patterson, Perham, Pike, Plants, Pomeroy, Price, Alexander H. Rice, John H. Rice, Rollins, Sawyer, Schenck, Scofield, Spalding, Shellabarger, Starr, Stevens, Thayer, Francis Thomas, John L. Thomas, jr., Trowbridge, Upson, Van Aernam, Burt Van Horn, Robert T. Van Horn, Ward, Elihu B. Washburn, Henry D. Washburn, William B. Washburne, Walker, Wentworth, James F. Wilson, Stephen F. Wilson, Windom, and Woodbridge, United States House of Representatives:

Fellow-citizens of the Senate and House of Representatives:

Magna Charta was, in the year of grace 1215, by the baronial power of England, wrested from his Majesty King John, of unhappy memory, and thence dates the foundation of British constitutional liberty. The act created an epoch in the world's history!

Through the concurrent action of the honorable the Senate and the honorable the House of Representatives of the United States, in re-enacting that great

measure of public safety, which has been made the subject of the latest exercise of the presidential negative—a bill framed for the impartial purpose of protecting all persons dwelling beneath the shelter of the American flag in their "civil rights"—the power to leave defenceless in the presence of their selectest foes, and the enemies of the government of their country as well, millions of American citizens, has been wrested from his excellency President Andrew Johnson!

By this act, *per se*, a new evangel of human liberty, the presidential veto lies prostrate at the feet of a loyal Congress, a shattered column of inextenuable iniquity; and by it, in the year of grace 1866, a new epoch stands revealed in the history of humanity universal!

We deem it greatly in the interest of American nationality and American republican liberty that however high the authority and extensive the power and patronage of the Chief Executive of our glorious country, the Congress of the United States, representing the loyal sentiments of the people thereof, in their opposing action to presidential prerogative, have declared, under the solemn responsibility of their legislative office, that *in the presence of eternal principles all men are as nothing.*

The President's last preceding exercise of the veto power, constitutionally assigned to the Executive, had greatly prepared us to expect a similar fulmination against the "civil rights bill." The occurrence, however, of that expected calamity gave us the *assurance* that the President had either revoked his Mosaic *pronunciamiento* of the 24th of October, 1864, and several kindred utterances made by him, or "changed his Israelites," and we became the subjects of an anxiety incident to the position in which his action placed us.

But, as we could not believe that "judgment had flown to brutish beasts" and that "men had lost their reason," that good faith and honor had no longer a dwelling place among men, that the pledges of the war would not be redeemed in the peace which the war had purchased, we looked with abiding confidence to the statesmanship, patriotism, and *personal honor* of the loyal majority in Congress, supported, as we knew them to be, by the war-taught sense of justice of the loyal American people, to present a formidable barrier to the onslaughts of the disembodied, but still vigorous, and necessarily implacably vicious, *spirit* of slavery!

We have not trusted for naught; *we did not look in vain.*

In this great triumph of freedom, which your labors, as the authorized exponents of the popular will, have wrought out for the nation, we recognize ourselves as greatly benefited members of the same; and the outlook of the hour warrants us in thus presenting a record of our selectest thanks to a loyal representative body of the American people—the grand inquest of the nation—to chant, with concurring millions of men all over this wide land, the glad pæan,

> The gods, that live forever,
> Are on our side to-day.

Loving our whole country with a devotion second to that of no other similar number of the American people—*always* her loyal children—it is yet but now that we are enabled to realize the brightness of the coming dawn of liberty's matin hour. Starting with and descending from the records of revolutionary battle-fields to the ensanguined contests of the late civil war, it is made manifest that in these blood stained periods of our country's history colored Americans have ever been found faithful to the flag, even while it but gave them the ignominy of its "stripes," and withheld from them the glory of its "stars."

If, then, as is abundantly proven, they have thus, under every adversity of fortune, been true to the *republic* when she was *not* their *alma mater*, what shall they not be to her when, as now, she extends to them the right hand of her sacred fellowship?

But giving to her the whole heart, we ask from her the *whole hand!*

The *suffrage* of the citizen is the strength of the republic!

Constituting a part of the American nation, we possess with it a common destiny. Our record in the past, we think, warrants the belief that with it we will be found willing to do, to dare, to suffer, and, if need be, to die in defence of American constitutional liberty for the *entire* American people.

We regard the occasion of making this, our thank-offering to Congress, sufficiently solemn and important for us to proffer in it an acknowledgment of our inexpressible gratitude to the High and Mighty Ruler of the Universe for His manifold mercies to the nation, and to us as a part thereof.

We thank Him that although permitting the deeds of the days of "the Union *as it* WAS," when insidious treason lurked amid the very corridors of the executive mansion, and eventually threw down its encrimsoned gauntlet in the council chambers of the nation, while hostile forces were preparing to attempt the overthrow of the government founded by the fathers of American nationality, He was pleased in the eternal counsel of His will to have organized a victory for the *right!*

We thank Him that "even in troublous times," when the dark and billowy main of slavery, surcharged with treason, was dashing its ponderous waves against the giant sides of the American ship of state, it pleased Him to take by the hand the pure patriot, the capable, honest, progressive man and astute ruler, Abraham Lincoln, our late beloved marty President, saying to him in the order of His providence:

> "Seize, seize the helm, the reeling vessel guide;
> With aiding patriots stem the raging tide."

And of *him* permit us here in brief to speak. How the *nation* loved him; how we, as a part thereof, were "the truest mourners" around his blood-stained bier; how, as he loved his country and liberty, slavery slew him, are solemn verities, already safely garnered by the muse of history as incentives to coming generations of men everywhere to be unswervingly loyal to the sacred principles of human liberty! Green be the turf above him, and peaceful be the rest of Abraham Lincoln, "the emancipator of men."

Under a continued sense of our dependence upon the favor of the Supreme and Immutable Executive of the universe, we thank Him for the existence and preservation of the gallant army and navy of the United States, and for the signal victories accorded to their valor during the late civil war.

We supplicate Him that the rebellion of barbarism against the civilization of the century, which, though vanquished "in the field," is still rampant, and seeking to permeate the government and people of the United States, may by the power of truth and liberty be vanquished in spirit as well, and with its legitimate iniquitous outgrowth, *American prejudice*, be committed to the tomb of the Capulets, to sustain *no* resurrection.

We thank Him that He has given to us at this crisis a congressional majority composed of men whose hearts, touched as with a living coal from off the ever-glowing altar of truth, have been strengthened for the *right* in the great conflict of opposing principles, in which, while battling against "principalities and powers," they have waged a good warfare to a successful conclusion in a given field. And we supplicate His mercy and favoring goodness that in the reconstruction of the revolted States He may so guide and govern the law-making power of this nation that the restored and regenerated "Union" may be made to rest upon a truly republican base, wide as the continent of America and enduring as the everlasting hills; that the educational care of *all* the people of the United States may be made the *legal* duty of the general government of the same; that *justice* shall become the central and ruling idea of the great republic, evolving liberty without license for all men as its legitimate outgrowth, and making our country the Mecca of the oppressed of every clime, who, in common with our-

selves, owning and tilling her soil, learning and loving her literature, and loving and supporting her institutions, shall constitute the great, progressive and invincible American family,

"Distinct, like the billows, yet one, as the sea."

As "the blessing of him that was ready to perish, the poor, and him that had no helper," came upon the head of the grand old eastern patriarch—the man who, *daring to speak the thing that was right*, in the face of opposing circumstances of no mean magnitude, became as a tree of shelter planted beside running waters—so may the blessing of the colored American people of the present and succeeding generations rest in rich fruition upon the heads of each unit of the loyal majority of the 39th Congress of the United States, (and their issue,) for their guarantee of protection to millions of people dwelling "beneath the starry flag," in their possession and exercise of their God-given "civil rights," which man alone had disallowed to them.

Entertaining the fullest respect for the office of President of the United States, because regarding its incumbency as the highest civil position known among men, we earnestly hope that the American Congress and the American people will ever preserve its dignity from deterioration.

And now, in reiterating our thanks, so deeply are we impressed with the belief that the only reliable hope for the continued nationality and liberty of our beloved country resides in the adoption by her of a public and fundamental policy built upon the *justice of God*, as its inflexible base, that we respectfully beg leave to append, as the peroration of our address, an excerpt of a letter written by one of our number to a distinguished senator of the United States:

"History, tradition, and geology, conjointly advise us that nations do not exist forever. Some have been swept away as with the besom of destruction, while others have been subjected to the prolonged torture of absorption by their successors. The known relics of antiquity are developments of the severity of God's justice in His dealings with national vices.

"Egypt, the cradle of the arts, the *alma mater* of science and learning, is become the basest of kingdoms. There is 'no more a prince in the land of Egypt.' She bends low beneath the foot of the Othman—a fief of the empire of the infidel Turk. While her pyramids proclaim her former greatness, her laws, and her religion—so widely different from her own ancient statutes and her Coptic faith—are alike the inspiration of the Sublime Porte! 'No-Ammon' *in her ruins* is still 'situate among the waters;' and the remnants of the hundred-gated city attest *her* former opulence.

"Babylon, 'the glory of kingdoms, the beauty of the Chaldees' excellency,' has become 'as when God overthrew Sodom and Gomorrah.' The Arab does not pitch his tent there; the shepherd makes not there his fold. Dragons have uttered their cry in her pleasant palaces; there the great owl makes her nest, and there the Satyr dances.

"Jerusalem, the joy of the whole earth, the city of the Great King, in which the Lord of Hosts was pleased to place His gracious name, sits solitary and a captive at the foot of the throne of the infidel! 'Her fine gold has become dim;' the very site of the sanctuary of the Lord is profaned within her, and her sacred places are spurned by the foot of the unbelieving stranger.

"Rome, 'the eternal city,' whose conquering eagles surmounted the standards of a universal dominion, declined and fell, and has for ages been shorn of her pristine splendor and glory. Her prætorial, consular and imperial dignities live but in history, and those proud domes where Cæsars once bore sway, defaced by time, are tottering in decay.

"Great and flourishing in the day of their power, they 'bent their tongues as their bows for lies; robbery and violence were found in them; they oppressed the hireling in his wages, and turned aside the stranger from his right'; they

sought to blot out the handwriting of the Creator upon His creatures, and they *passed away!* And will not our country be wise to know the period of her gracious visitation?

"When the great heart of America shall become purged of the pollution of her long-existing conglomerate sin, when the chastisements of the Holy One shall have so purified the national conscience, resurrecting it from the tomb of ages, and so strengthened, extended and elevated the moral vision of the nation as to enable it to see God in ebony, in copper, or in bronze, as fully and as willingly as in Parian or alabaster or ivory, then, and *not until then*, will she ascend into her true position among her sister nations of the earth, as she assumes her line of march toward the mark of the prize of her high calling, in fulfilment of her noble destiny, the elevation of humanity, by a free and vigorous development of the powers and capacities of the human race!"

Live liberty! Live the republic!

LEWIS B. WHITE,
E. R. WILLIAMS,
WILLIAM BAKER,
JOHN JONES,
R. W. STOKES,
JOSEPH STANLEY,
R. DEBAPTISTE, *Chairman*,
Committee on the Preparation of the Address.

At a mass meeting of the colored citizens of the city of Chicago, held on this the 23d day of April, 1866, the above address was adopted by a unanimous vote, as embodying the sentiments entertained by them, the same being ordered to be transmitted to the presiding officers of the two houses of Congress respectively.

JOHN JONES, *Chairman.*

L. B. WHITE, *Secretary.*

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 111.

THOMAS MILLER AND WILLIAM FISHER.

CORRESPONDENCE

OF

THE SECRETARY OF STATE,

WITH

The British minister at Washington, upon the subject of the claims of Thomas Miller and William Fisher, British subjects, on account of an alleged illegal arrest.

MAY 4, 1866.—Referred to the Committee on Foreign Affairs and ordered to be printed.

List of papers.

Lord Lyons to Mr. Seward, with four enclosures	Aug. 4, 1864
Mr. Seward to Lord Lyons	Aug. 9, 1864
Mr. Seward to Mr. Russell	Aug. 9, 1864
Mr. Seward to Mr. Burnley, with four enclosures	Sept. 23, 1864
Mr. Burnley to Mr. Seward	Sept. 25, 1864
Mr. Burnley to Mr. Seward, with one enclosure	Oct. 7, 1864
Mr. Seward to Mr. Burnley	Oct. 7, 1864
Mr. Seward to Mr. Russell	Oct. 7, 1864
Mr. Burnley to Mr. Seward	Nov. 18, 1864
Mr. Burnley to Mr. Seward, with two enclosures	Jan. 26, 1865
Mr. Seward to Mr. Burnley	Mar. 18, 1865
Sir Frederick Bruce to Mr. Hunter	Jan. 3, 1866
Mr. Hunter to Sir Frederick Bruce	Jan. 11, 1866

Lord Lyons to Mr. Seward.

[Four enclosures.]

WASHINGTON, *August* 4, 1864.

SIR: I have the honor to transmit to you herewith copies of a despatch which I have received from his excellency the governor general of Canada, and of an enclosure to the same, and in original two affidavits respecting two men named Thomas Miller and William Fisher. These men state that they, being British subjects, were arrested in Canada by an armed party, one of whom was a deputy sheriff of the United States, and that they were forcibly carried into the State of Michigan, and that they are now confined in the common jail at Detroit.

I have the honor to request that you will be so good as to cause an investigation to be made of this case, and if the allegations contained in the affidavits prove to be well-founded, it will be my duty to ask that proper redress may be made to her Majesty's government for the violation of her Majesty's territorial jurisdiction, and also to Miller and Fisher for the unlawful violence practiced upon them.

I deem it my duty to call your especial attention to the allegation that attempts were made to induce these two subjects of her Majesty, while under duress, to enlist in a foreign military service, in disobedience to the laws of their country and the commands of their sovereign.

Requesting you to return to me the affidavits, I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

[Enclosure No. 1.]

QUEBEC, *July* 26, 1864.

MY LORD: I have the honor to transmit to you a statement made upon oath by Thomas Miller and William Fisher, now in confinement in the common jail at Detroit, in the United States. These persons assert, as your lordship will perceive by their affidavit, that they, being British subjects, were arrested in Canada by an armed party, one of whom was a deputy sheriff of the United States, and forcibly carried into the State of Michigan; that they were there brought before a magistrate and committed to prison in Detroit, where they are still confined; and that the United States peace officer, who first seized them, has since offered to procure their release if they would consent to enlist in the United States army and to forego part of the bounty.

I shall be much obliged to your excellency if you will bring this case to the notice of the United States government in order that it may be investigated, and if, on inquiry, the statement of Miller and Fisher be ascertained to be true, that these persons may be discharged from the custody in which they are illegally held, and their claims for compensation considered.

Besides the deposition on oath of Miller and Fisher, I enclose for your lordship's information a copy of a letter from County Attorney Macdonell, who submitted their case for my consideration. The contents of this letter throw some further light on the matter.

I also transmit the affidavit of A. Delmage, which corroborates the depositions of Miller and Fisher.

I have, &c.,

MONCK.

Lord LYONS.

Enclosure No. 2.]

WINDSOR, *July* 22, 1864.

SIR: I have the honor herewith to transmit a statement made upon oath by Thomas J. Miller and William Fisher, persons confined in the common jail of the city of Detroit, alleging that they were, on the first of May last, taken by violence from the mainland of Canada, at Sandwich, by David Milliman, as United States deputy sheriff, and others, and conveyed to Detroit, where they were arrested and afterwards committed to jail, where they are still detained.

Mr. Charles Bird, of Trenton, who stated before me that he had heard Milli-

man admit that he had taken these persons in Canada, is at present absent in Louisville, where he will probably remain for two or three months. I am therefore unable to forward his statement upon oath. But the parties detained have furnished the affidavit of one Delmage, also a prisoner in the Detroit jail, as to admissions made by Milliman, in his presence, in a conversation with Miller and Fisher.

The affidavit now forwarded may be sufficient to bring the matter under the notice of his excellency Lord Lyons, and should the charge made against Milliman be denied, further evidence can probably be procured at Trenton, where the investigation before the magistrate was had, substantiating the statement made by Miller and Fisher.

They have requested me to submit for them that a claim for compensation for their loss of time, by means of their detention, may be made on their behalf.

I take the liberty of sending to you by the same mail that takes this letter a Detroit newspaper, in which reference is made to the solicitations made by Milliman and Fisher to enlist.

I have, &c.,

J. S. MACDONELL.

[Enclosure No. 3.]

CITY OF DETROIT, *State of Michigan:*

We, Thomas J. Miller and William Fisher, confined in the common jail at the city of Detroit, in the State of Michigan, make oath and say as follows:

1. On the 1st day of May last we were in the province of Canada, to wit: on the shore of the Detroit river, on the Canada side about a quarter of a mile below the town of Sandwich, in the county of Essex.

2. We were landed and had our boat drawn upon the shore, and were engaged in fixing the mast, which had got broken.

3. A large boat, having in it a number of men, came across the river apparently, and landed some distance ashore from us.

4. The men in the boat disembarked and came down to us.

5. One of the party, known afterwards to us as Milliman, a deputy sheriff or peace officer in the United States, addressed us, saying: "You are in a bad fix;" to which the said Miller answered: "Yes, our mast is broken." Whereupon the said Milliman walked around and said: "I am an United States officer, and I arrest you." To which the said Miller replied: "I am in Canada; stand off." Upon which Milliman put a revolver up to deponent Miller's breast, and seized the axe I, said deponent, Miller, had in my hand, with which I had been repairing the mast, and which I had raised to defend myself. When Milliman held the pistol to deponent, Miller, I dropped the axe. He held his revolver to me and ordered me into the boat.

6. The others of the party, four or five in number, had pistols, which they presented to the deponent Fisher, and then both deponents were forced into the boat, which was then rowed across to the American side.

7. We were landed before the city of Detroit, and thence taken to the village of Trenton, and there re-arrested on a warrant which we were informed and believe was issued after we were brought there.

8. After we were arrested we were taken before a magistrate in Trenton, who committed us to the jail, where we now are.

9. We are British subjects by birth.

10. Since our imprisonment offers have been made to us by the said Milliman that if we will enlist as substitutes and forego a portion of the bounty we will be discharged.

THOMAS J. MILLER.
WILLIAM FISHER.

Subscribed and sworn to before me this 21st day of July, A. D. 1864.
AUGUSTUS W. HENSSLER,
A Notary Public in and for the County of Wayne and State of Michigan.

STATE OF MICHIGAN, *County of Wayne, ss:*

I, Jared Patchin, clerk of said county, and clerk of the circuit court for the county of Wayne, which is a court of record, do hereby certify that Augustus W. Henssler, whose name is subscribed to the jurat of the annexed instrument and therein written, was at the time of taking such jurat a notary public in and for said county, duly commissioned and qualified and duly authorized to take the same; and further, that I am well acquainted with the handwriting of said notary public, and verily believe that the signature to the said jurat is genuine.

In testimony whereof, I have hereunto set my hand and affixed the seal [L. S.] of said court, at Detroit, this 22d day of July, A. D. 1864.

JARED PATCHIN, *Clerk.*

[Enclosure No. 4.]

CITY OF DETROIT, *State of Michigan, to wit:*

I, Arthur Delmage, of the city of Detroit, in the county of Wayne and State of Michigan, make oath and say as follows:

That in a certain conversation between Thomas J. Miller and William Fisher and David Milliman, a deputy sheriff in and for the county of Wayne and State of Michigan, the said David Milliman, deputy sheriff of said county and State, being the officer who arrested the above-named Thomas J. Miller and William Fisher on the 1st day of May, 1864—

1. He, the said David Milliman, did say and acknowledge in said conversation that he did arrest and take the said Miller and Fisher off of the main land and shore of the province of Canada, and that he would not deny it, and that he had sufficient force with him at the time to do it.

2. Upon a subsequent conversation between the above parties, Milliman said that he had a revolver belonging to the said Fisher, and a boat and other property, and that he, the said Milliman, would not give the said property up, as he was sued in an action of trover for the same.

3. He, officer David Milliman, has in my presence at different times offered showed, and held out money and proposed to relieve the said Miller and Fisher, if they would enlist and go as substitutes in the American army. The amounts so offered were about one-third of the price he, the said Milliman, could obtain for substitutes.

4. The said officer, Milliman, said to Miller and Fisher that they had better enlist and go into the army at once, for if you get out on this charge you will be arrested on some other pretexts; so that you will have to enlist and go into the army to get your liberty at last.

A. DELMAGE.

Subscribed and sworn to before me this 21st day of July, A. D. 1864.
AUGUSTUS W. HENSSLER,
Notary Public, County of Wayne and State of Michigan.

STATE OF MICHIGAN, *County of Wayne, ss:*

I, Jared Patchin, clerk of said county, and clerk of the circuit court, &c., &c., do hereby certify that Augustus W. Henssler, whose name is subscribed to the jurat of the annexed instrument, and therein written, was at the time of taking such jurat a notary public in and for said county, duly commissioned and qualified, and duly authorized to take the same; and further, that I am well acquainted with the handwriting of said notary public, and verily believe that the signature to the said jurat is genuine.

In testimony whereof, I have hereunto set my hand and affixed the [L. S.] seal of said court at Detroit, this 22d day of July, A. D. 1864.

JARED PATCHIN, *Clerk.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, August 9, 1864.

MY LORD: I have the honor to acknowledge the receipt of your note of the 4th instant, and of the papers referred to therein, relative to the alleged abduction from Canada and incarceration in the common jail at Detroit of Thomas Miller and William Fisher, and to an effort said to have been made to induce them to enlist in the military service of the United States.

In reply, I have the honor to inform your lordship that I have taken measures to have the matter fully investigated, and if it turns out to have been correctly stated, this government will cheerfully do all that it properly can towards affording to her Majesty's government and to her aggrieved subjects just redress.

I have the honor to be, with high consideration, my lord, your obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. Seward to Mr. Russell.

DEPARTMENT OF STATE,
Washington, August 9, 1864.

SIR: I enclose a copy of a communication of the 4th instant from Lord Lyons, in regard to the alleged arrest in Canada by an armed party, one of whom was a deputy sheriff of the United States, of two men named Thomas Miller and William Fisher, who represent that they were forcibly carried into the State of Michigan, and that they are now confined in the common jail at Detroit. It is also stated that attempts were made to induce the men while in duress to enlist.

I will thank you to cause the matter to be promptly and thoroughly investigated, and to report to this department such facts as you may be able to ascertain.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALFRED RUSSELL, Esq.,
Att'y of the U. S. for the Eastern Dist. of Michigan, Detroit.

Mr. Seward to Mr. Burnley.

[Four enclosures.]

DEPARTMENT OF STATE,
Washington, September 23, 1864.

SIR: Recurring to the communication which Lord Lyons did me the honor to address to me on the 4th of last month, in relation to the abduction of Thomas Miller and William Fisher from Canada, I have the honor to enclose a copy of a communication of the 31st ultimo, from Henry B. Brown, the acting attorney of the United States for the eastern district of Michigan, and to inform you that the act complained of was not committed by federal authority; that it is disapproved and regretted.

It appears from the copy of the letter of Major Lugenbeel of the 29th ultimo to Major Ramsay, which is appended to the papers, that Fisher was enlisted on the 17th ultimo, and deserted on the 21st, since which he has not been heard of. It also appears that Miller is still in jail awaiting trial. I shall, if it be desired, cheerfully take such further measures as may be proper to secure the discharge of the accused.

I have the honor to be, sir, with high consideration, your obedient servant,
WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c.*, *&c.*, *&c.*

[Enclosure No. 1.]

OFFICE OF U. S. DIST. ATT'Y EASTERN DIST. OF MICHIGAN,
Detroit, August 31, 1864.

SIR: Your letter of the 9th instant, enclosing affidavits and a communication from Lord Lyons in relation to Thomas Miller and William Fisher, was received by due course of mail, and should have been sooner answered were it not for some unavoidable delay occasioned by the prosecuting attorney of this county having mislaid the testimony and other papers connected with the case. In the absence of Mr. Russell, the district attorney, I have made an investigation as thorough as possible, and have satisfied myself, from conversation with Miller and Delmage and from certain affidavits, copies of which I herewith enclose, that the facts of the case as reported to you are substantially true, and that a gross violation of international law was committed by the deputy sheriff, Milliman, in seizing the two men on the Canadian shore of the river. The affidavit of George Bexley, who went over with Milliman to make the arrest, and would not naturally be supposed prejudiced against him, contains a very lucid and satisfactory statement of the whole affair. On learning the facts of the case, I applied immediately to Mr. Gwin, the prosecuting attorney of this county, and asked the release of Miller, which was promptly refused, he alleging that he had been informed that the men had crossed the river voluntarily and submitted to arrest—a strange story, to say the least. I find from the report of the military authorities herewith enclosed that Fisher, who, I think, was guilty of the larceny, became frightened and enlisted, and has since deserted. Miller is still in jail awaiting trial, and is, I think, innocent of any crime.

The remedy in the case is not so clear. In my opinion, the men cannot be released upon *habeas corpus*, as under the statutes of our State we could not look behind the commitment, and prove the illegality of the arrest. I presume, however, if the facts of the case were presented to the Attorney General, he would order the man set free. As you did not direct any such steps upon my part, I have taken none.

Be good enough to instruct me if you wish any proceedings commenced either to punish the deputy sheriff or to obtain the release of Miller.

I am, sir, your obedient servant,

HENRY B. BROWN,
Acting District Attorney.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure No. 2.]

Affidavit of George Bayley.

WAYNE COUNTY, *State of Michigan, ss:*

George Bayley, of Crosse Isle, in the State of Michigan, makes oath and says, that on Sunday, the 1st day of May last, deponent accompanied David Milliman, a deputy sheriff of Wayne county, in pursuit of certain persons suspected of having stolen property from this deponent, and from other persons, on the Friday night previous, and believing them to be in a certain sailing-boat which was proceeding up stream in the direction of Detroit, drove with said Milliman from Trenton along the Michigan shore, keeping said boat in view all the time; said boat hugged the Canada shore all the way up to near Sandwich. Said Milliman procured the yawl of a vessel lying at the copper foundry dock near Fort Wayne, together with three men of the crew; to one or two of said men he gave arms, and was armed himself; said boat appeared to have sprung its foremast, and was then ashore on a sand island just below Sandwich dock. Said Milliman landed about ten rods above said sailing-boat, and the whole party, consisting of said Milliman, deponent, and the three men of the crew aforesaid, and led by said Milliman, walked straight to said sailing-boat, the island being so small that the men pursued could not run, and being separated by a wet swamp five or six rods in width from the main land. Said men so pursued continued working at their foremast without taking much notice, until said party arrived at the said sailing-boat. Then said Milliman, wearing his star or badge visibly, stepped on board said sailing-boat, looked underneath the forecastle, got out of said boat, went up to said men so working as aforesaid, and said: "You are the men we have been following for the stolen property; I shall take this boat to the other side, and you have got to go with us," or words to that effect, making at the same time a motion as if to lay hold of the arm of the bigger of said pursued men, whereon the bigger of said two pursued men (named Miller, as deponent is informed) made a blow of his axe at said Milliman, which blow said Milliman warded off with his arm, drew a revolver, showed his star or badge, and said he was an officer, whereupon said Miller submitted at once, and said he was sorry he ever raised the axe at all to him; that he was merely a passenger in said sailing-boat from Malden, and had nothing more to do with said sailing-boat, and he thereupon gave himself up and got into said sailing-boat, said Milliman directing him to do so, in order to be taken to the other side. Said Milliman also ordered the lesser of said two pursued men (named Fisher, as deponent is informed) into said boat, but said Fisher protested, saying: "You cannot take us here on the Canada side; it is only kidnapping;" to which Milliman replied, in substance, that "it depended on the nature of the offence;" thereon said Fisher said, "I guess we have got to go," and thereupon got into said sailing-boat as ordered by Milliman. Neither of said pursued men offered any further or other opposition. After said men had got into said sailing-boat and said boat was in the stream, said Milliman told said men that the matter might be easily settled with the owners of the prop-

erty, who were "on the other side;" but when the boat came to the dock on the American side he said, "I have made no arrest, but I make my arrest now on American soil." And he thereupon got the sailors to procure rope-yarn, and tied the prisoners' hands behind their backs; he afterwards searched them and took from them a revolver and an account-book, which contained memoranda of Fisher's travelling, with dates, but the ownership whereof was repudiated by said Fisher. Deponent saith that besides said stolen property there was the said sailing boat, three buffalo robes, some provisions and cooking utensils which deponent, by Milliman's orders, placed in store at said copper dock, and a list of them was taken by the storekeeper; and said boat is now at Trenton, and, as deponent believes, in said Milliman's charge.

his
GEORGE ✕ BAILEY.
mark.

Sworn and subscribed to before me this 31st day of August, 1864.

FREDERICK CARLISLE,
Notary Public in and for the County of Wayne, State of Michigan.

[Enclosure No. 3.]

Statement of Stephen D. Curtis, the committing justice of the peace.

About the 12th of May I handed Mr. Knox Gwin the warrant, complaint, and examination under which proceedings were had against Miller and Fisher for grand larceny. Mr. Gwin received them from me for the purpose of filing them with Mr. V. Pathin, as I was bound to do in the usual course. The prisoners were not brought before me until after I had issued the warrant on the 2d of May, but I understood they had been arrested on the 1st of May.

Milliman, as well as I remember, stated, in substance, that he came up with the prisoners on the Canada shore, and on seeing portion of the goods of which he was in search in their boat, ordered them to row the boat to the American side, previously observing that they had stolen goods in their boat; that one of the men took up an axe to defend the boat; that then Milliman drew a revolver, and ordered him to row the boat to the American shore, to which they submitted.

STEPHEN D. CURTIS,
Justice of the Peace.

Statement of Augustus H. Phelps, United States deputy marshal at Trenton, Michigan.

About the 1st of May last David Milliman came to borrow handcuffs to put on two persons named William Fisher and Thomas Miller, whom he had taken prisoners, and thereon said Milliman, in substance, stated to me, that "though they had resisted the capture he took them along; there was no use talking, when he went after a man he was bound to have him, and neither revolvers nor axes could stop him." And further: "That if they were in Canada when he took them he did not know, and did not want to know; at all events, it was a matter to be thought of at some future time, but not of importance just then, as they were such damned rascals, and he had expected to be killed when he boarded them."

Statement of Charles Bird, of Trenton.

Milliman often bragged in his hearing that he had arrested the men (Fisher and Miller) in Canada.

[Enclosure No. 4.]

HEADQUARTERS 19TH UNITED STATES INFANTRY,
Fort Wayne, Michigan, August 29, 1864.

SIR: I have the honor to acknowledge the receipt of your communication of the 29th instant, inquiring as to the whereabouts of William Fisher, recruit of the 19th United States infantry. In reply, I have the honor to inform you that said William Fisher was enlisted at Detroit, Michigan, on the 17th day of August, by Lieutenant William W. Gilbert, 19th United States infantry, recruiting officer, and deserted the service at Fort Wayne, Michigan, on the night of the 21st of August, 1864, with nothing but his underclothing on him, and has not been heard of since.

I am, sir, very respectfully, your obedient servant,

PINKNEY LUGENBEEL,
Major 19th U. S. Inf., Comm'dg Reg't and Post and Superintendent Regimental Recruiting Service.

Major SILAS RAMSEY,
A. A. D. C., Inspector and Prov. Mar. Gen. Dep't, Detroit, Mich.

Mr. Burnley to Mr. Seward.

WASHINGTON, *September* 25, 1864.

SIR: I have the honor to acknowledge the receipt of your note and of its enclosure of the 23d instant, in answer to Lord Lyons's note of the 4th ultimo, relative to the illegal imprisonment of Thomas Miller and William Fisher.

I have hastened to forward a copy of your note and of the enclosures to his excellency the governor general of Canada. As regards the discharge of Miller, I would beg to refer you to Viscount Monck's despatch on this subject, enclosed in Lord Lyons's above-mentioned note, where his excellency expresses a hope, should the statement of Miller and Fisher be ascertained to be true, which seems now to be the case, that these persons may be discharged from custody, and their claims for compensation considered.

I have the honor to be, with the highest consideration, sir, your most obedient servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c.*

Mr. Burnley to Mr. Seward.

[With enclosure.]

WASHINGTON, *October* 7, 1864.

SIR: With reference to your note of the 23d ultimo, and to my note of the 25th ultimo, relative to the abduction of Thomas Miller and William Fisher from Canada, I have the honor to enclose a copy of a despatch received from his excellency the governor of Canada, conveying his thanks to you for your

treatment of this affair, and availing himself of your offer to take measures to insure Miller's discharge.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY

Hon. WILLIAM H. SEWARD, *&c.*

[Enclosure.]

GOVERNMENT HOUSE,
Quebec, October 1, 1864.

SIR: I have the honor to acknowledge the receipt of your despatch of September 25, covering a communication from the Secretary of State of the United States, and other documents relating to the case of two men named respectively Miller and Fisher, alleged to have been illegally arrested in Canada, and with reference to which an application had been addressed by Lord Lyons to the government at Washington.

I shall feel much obliged if you will convey to Mr. Seward the expression of my gratification at the manner in which he has received and dealt with the communication addressed to him by Lord Lyons at my instance.

As Fisher is no longer within the control of the authorities of the United States, it is unnecessary to take any further notice of his case.

With reference to Miller, who is still in custody, I shall feel much obliged if you will inform Mr. Seward that I will avail myself of his offer to take measures to insure his discharge, the rather as I observe the acting district attorney states that in his opinion Miller is innocent of any crime.

I have, &c.,

MONCK.

J. H. BURNLEY, Esq.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, October 7, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 25th ultimo, in regard to the cases of Thomas Miller and William Fisher, and in reply to inform you that the attorney of the United States for the eastern district of Michigan has been instructed to cause Miller to be released from custody, and that the claims of both of these men to compensation for their illegal arrest and detention will be taken into consideration when they shall have been definitely presented.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c.*

Mr. Seward to Mr. Russell.

DEPARTMENT OF STATE,
Washington, October 7, 1864.

SIR: Referring to the letter of the 31st of August last, addressed to me by Henry B. Brown, esq., then acting in your place, relative to the case of Thomas Miller and William Fisher, I have to state that in view of the peculiar circumstances of the case, it is considered expedient that Miller should be released. I

would thank you, therefore, to place all the facts before the attorney general of the State of Michigan, as suggested by Mr. Brown, with a request that the man be set free.

I am, sir, your odedient servant,

WILLIAM H. SEWARD.

ALFRED RUSSELL, Esq.,
Attorney of the United States for the
Eastern District of Michigan, Detroit.

Mr. Burnley to Mr. Seward.

BRITISH LEGATION,
Washington, D. C., November 18, 1864.

MY DEAR SIR: You were good enough in your note of the 7th ultimo to state that the claims of Miller and Fisher to compensation on account of their forcible abduction from Canada would be taken into consideration.

I hope that this case will not escape you when the time comes for entertaining it.

Believe me to be, my dear sir, your very obedient, faithful servant,

J. HUME BURNLEY,
For LORD LYONS.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

[Two enclosures.]

WASHINGTON, *January* 26, 1865.

SIR: With reference to your note of the 7th October last, stating that the claims of Miller and Fisher (two British subjects illegally imprisoned in the State of Michigan) to compensation for their illegal arrest and detention would be taken into consideration by the United States government, I have the honor to transmit to you a copy of a despatch, and in original its enclosure, which I have received from his excellency the governor general of Canada, in which Miller's claim is put forward.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

[Enclosure No. 1.]

QUEBEC, *January* 18, 1865.

SIR: With reference to the case of Miller and Fisher who were illegally imprisoned at Detroit last May, and whose claims to compensation Mr. Seward informed you in his note of the 7th October, 1864, would be taken into consideration when they were definitely presented, I have the honor to transmit to you a paper setting forth the amount of Miller's claim, which I beg that you will be so good as to lay before the Secretary of State of the United States.

It should be borne in mind, in deciding upon the compensation due to Miller, that though Mr. Seward on the 7th October pronounced his detention to be illegal, he was not released till the 6th December.

The delay was owing, I am informed, to a question arising as to whether the proper person to grant the warrant of deliverance in the case was the governor or the attorney general of the State of Michigan.

If this is correct, Miller's imprisonment was unnecessarily prolonged for nearly two months after its injustice had been acknowledged, and I think that this fact should weigh strongly in procuring a liberal consideration of his claims by the government of the United States.

I have, &c.,

MONCK.

J. H. BURNLEY, Esq., *&c.*, *&c.*, *&c.*

[Enclosure No. 2.]

The government of the United States to Thomas J. Miller, Dr.

For compensation for being taken by violence, he being a British subject, from Sandwich, in the county of Essex, in the province of Canada, by United States officials on May 1, 1864, and afterwards committed to the common jail in the city of Detroit, and there detained until delivered by the warrant of his excellency Governor Blair, of Michigan, on December 1, 1864:

1. The loss of earnings during the period of 7 calendar months and 6 days, from date of arrest to date of release, at $50, Halifax currency, per month	$360 00
2. For expenses incurred during confinement in jail, $250, in United States currency, equivalent to, in Halifax currency	120 00
3. For indemnity for loss of health and strength by reason of close confinement in jail for the above period	500 00
Total in Canadian currency	980 00

THOMAS J. MILLER.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 18, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 26th of January last, in regard to the claims of Thomas J. Miller, on account of his illegal arrest and detention in the State of Michigan, and in reply to inform you that, in the pressure of business during the recent short session of Congress, it was considered advisable to defer the submission of the matter to that body until the opening of the next session.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c.*, *&c.*, *&c.*

Sir J. Bruce to Mr. Hunter.

WASHINGTON, *January* 3, 1866.

SIR: Referring to Mr. Seward's note of the 18th of March last, to Mr. Burnley, and to previous correspondence relative to Thomas Miller, a British subject, who was arrested in Canada and forcibly carried into the State of Michigan, and

whose case was submitted to the Secretary of State by Lord Lyons, on the 4th of August, 1864, I have the honor to request that you will have the kindness to submit Mr. Miller's claim to Congress at an early opportunity.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

Mr. Hunter to Sir J Bruce.

DEPARTMENT OF STATE,
Washington, January 11, 1866.

SIR: I have the honor to acknowledge the receipt of your note of the 3d instant, relative to the claim of Thomas J. Miller, on account of his illegal arrest and detention in the State of Michigan, whose case formed the subject of a previous correspondence between her Majesty's legation and this department, and in reply to inform you that, in compliance with your request, the claim in question will be submitted to the consideration of Congress at an early day.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. H. HUNTER,
Acting Secretary

Hon. FREDERICK W. A. BRUCE, *&c., &c., &c.*

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 112.

ADDRESS OF THE SWISS COMMITTEES.

LETTER

FROM

THE AUXILIARY COMMITTEE

OF THE

AMERICAN ASSOCIATION IN SWITZERLAND FOR THE BENEFIT OF ENFRANCHISED SLAVES IN AMERICA,

TRANSMITTING

The address of the Swiss committees of Geneva, Berne, Neufchatel, &c., to the President and the Congress of the United States.

MAY 15, 1866.—Referred to the Committee on Foreign Affairs and ordered to be printed

"Sans haine pour personne, avec amour pour tous, avec confiance dans le droit tel que Dieu nous donne de le voir, faisons tous nos efforts pour achever l'œuvre ou nous sommes engagés . . . . . ."

(LINCOLN.)

"S'il est un État Européen sur l'affection duquel une République comme la nôtre peut compter, c'est la République de Guillaume-Tell . . . . . .

". . . Par la mort de l'Esclavage, la République va commencer à vivre, car qu'est la vie sans la liberté ? . . . . . ."

(SUMNER.)

COMITÉ AUXILIAIRE DE L'ASSOCIATION AMÉRICAINE EN FAVEUR DES ESCLAVES AFFRANCHIS,

Genève, le 24 Avril, 1866.

MONSIEUR LE PRÉSIDENT : J'ai l'honneur de vous transmettre l'adresse ci-incluse, avec prière de la communiquer au Sénat.

Espérant qu'il y verra un nouveau témoignage du vif intérêt que les citoyens Suisses portent à l'avenir et à la prospérité de la grande République Americaine, je vous prie, Monsieur le Président, d'agréer l'assurance de mon profond respect.

J. H. SERMENT.

Monsieur le PRÉSIDENT DU SÉNAT DES ETATS-UNIS.

(*Adresses :* M. Serment, avocat, Président, Genève, rue du Marché, 24; M. Boissier, Agénor, Secrétaire, rue des Chanoines, 13 ; M. Zurlinden, avocat, Secrétaire, place Longemalle ; M. Martin, Charles, Agent du Comité, rue du Mont-Blanc, 12.)

Adresse des Comités suisses (de Genève, Bâle Neuchâtel, Tessin et Berne) en faveur des esclaves affranchis, et de l'Assemblée convoquée à Genève le 29 mars 1866, par le Comité genevois au Président et au Congrès des États-Unis d'Amérique.

Monsieur le Président : Messieurs les Membres du Congrès : Depuis quatres années nous vivons avec vous, nous souffrons de vos douleurs, nous sommes heureux de vos délivrances et presque glorieux de vos succés.

Lorsque l'élection de Lincoln est venue annoncer au monde que vous en aviez assez de ce système qui vous abaissait, assez de la complicité avec l'esclavage, des compromis avec l'esclavage, des chasses d'hommes ordonnées par l'esclavage, des conquêtes au profit de l'esclavage, de la politique du parti de l'esclavage, nous avons rendu grâce à Dieu.

Lorsque votre union a été brisée par la révolte, lorsque votre prospérité s'est écroulée, lorsque des voix nombreuses ont prophétisé la dissolution des Etats-Unis, nous avons salué le commencement d'une vie nouvelle et meilleure pour votre peuple.

Lorsque des revers militaires ont menacé votre noble cause, nous avons cru qu'elle ne pouvait périr.

Lorsque l'Europe a semblé prête à intervenir en faveur du Sud, à violer votre blocus, à reconnaître la Confédération rebelle, nous avons cru que quelque chose s'interposerait jusqu'au bout entre le dessein et l'exécution. Ce quelque chose c'était votre principe ; par lui vous étiez invincibles.

Lorsqu'on disait partout que les négociations de la paix allaient compromettre les résultats moraux de la guerre, que vous alliez transiger avec les préjugés et les institutions du Sud, nous avous cru que vous ne poseriez pas les armes avant d'avoir tué votre ennemi véritable, c'est-à-dire l'esclavage.

Lorsque la mort de Lincoln nous a plongés dans le deuil, nous avons cru que le successeur de Lincoln mettrait son honneur à continuer et à achever son œuvre.

Enfin, lorsque vous avez annoncé au monde que l'amendement constitutionel était adopté, que désormais il n'y avait plus un seul esclave sur le sol de l'Union, nous avons salué avec une émotion inéxprimable le plus magnifique progrès, le plus grand événement de notre siècle.

C'est le sentiment que nous éprouvons le besoin de manifester aujourd'hui. Si peu important que soit notre témoignage, il ne sera pas dit que la voix de la Suisse ne se sera pas fait entendre pour vous applaudir.

Vous avez depassé de bien loin les espérances de ceux qui espéraient le plus ; à l'instant même où se terminait votre lutte, vous avez prononcé la parole libératrice. Elle fera son chemin sur le continent et au travers des archipels du nouveau monde. Vous venez de supprimer la traite espagnole ; vous venez d'anéantir l'esclavage brésilien. Toute une race, courbée sous le joug, se redresse en vous entendant.

Elles sont rares dans l'histoire de l'humanité ces journées où la politique et l'Evangile se donnent la main, ces jours de soleil que n'assombrit aucun nuage.

Après ces jours-la, il faut reprendre le labeur de la vie ordinaire, pourvoir aux dangers, prévoir les conséquences, se heurter aux obstacles. Achever est plus difficile que commencer. Assurer l'application est plus difficile que proclamer le principe. L'œuvre qui vous attend aujourd'hui n'est pas moins belle, elle est plus complexe et plus redoubtable que l'œuvre d'hier.

Mais l'une ne va pas sans l'autre.—Elle serait triste la condition de vos affranchis, si vous n'en faisiez pas des citoyens ! Entre l'esclavage et la liberté (la liberté réelle) il n'y a pas de place pour respirer. Aussi, que prédisent maintenant les ennemis de l'Union ? Que l'affranchissement tuera les affranchis ; que, lassés d'eux, vous allez secouer l'ennui de ce fatigant problème ; que vous prétendez ne plus entendre parler des nègres, ne vous inquiétant plus de savoi

s'ils restent ou s'ils partent, s'ils vivent ou s'ils meurent; qu'au rude contact de vos préjugés et de vos mépris ils périront ainsi qu'ont péri les Indiens; que votre abolition pharisaïque se trouvera être une extermination; que votre prétendu libéralisme envers les esclaves prouvera qu'il n'a jamais eu d'entrailles; que votre gloire si pure d'aujourd'hui deviendra votre honte de demain.

Nous protestons contre des prévisions aussi sombres. Nous vous demandons de les démentir. Nous savons que vos actes les démentiront bientôt.

Plus vous désirez que la question noire cesse de troubler les Etats-Unis, plus vous sentirez qu'elle demande à être achevée. Les questions inachevées sont sans pitié pour notre repos.

Et que réclame son achèvement? Deux choses seulement: le maintien provisoire du Bureau des affranchis, la suppression des distinctions civiles et politiques fondées sur la couleur.—Refuser aux anciens esclaves la protection fédérale indispensable à la transition, les livrer purement et simplement aux lois, à l'administration, aux tribunaux du Sud, ce serait décréter le rétablissement de l'esclavage, avec un surcroît de haine, et par conséquent d'atrocité. Conserver l'exclusion politique de la race noire à titre de race, ce serait renier le principe même au nom duquel le Nord a si vaillamment combattu.

Que des mesures de prudence accompagnent l'attribution du droit de suffrage dans le Sud; que, par exemple, on limite ce droit aux hommes qui savent lire et écrire, sans distinction de couleur, nous le comprendrions encore; mais ce qui ne serait compris ni par nous ni par aucun de ceux qui ont aimé et soutenu votre cause, ce serait l'exclusion absolue *de la race*. Si les etats du Sud étaient réadmis au Congrès sans que la condition de l'égalité des races leur eût été imposée, nous le déplorerions amèrement, nous courberions la tête avec humiliation et tristesse, nous nous attendrions à voir renaître cette querelle du Sud et du Nord, des démocrates et des républicains, dont le terme semblait être arrivé.

Surtout ce qui bouleverserait toutes nos idées, ce serait de voir les affranchis, qui ont versé leur sang pour la défense de l'Union, récompensés de leur dévouement par la privation de ces droits qui sont ordinairement dans les Etats républicains l'apanage de tout homme appelé à porter les armes pour son pays; tandis que les rebelles qui ont déchiré le sein de leur patrie et sollicité l'intervention de l'étranger, non-seulement rentreraient dans tous leurs droits antérieurs à la guerre, mais encore deviendraient les arbitres absolus du sort des citoyens loyaux. Donner aux coupables de haute trahison la faculté de réduire les bons citoyens à l'état de parias politiques, ce serait du même coup décerner une prime d'encouragement à l'anarchie et fustiger le patriotisme. Ce serait donner gain de cause à ceux qui prétendent que le *self-government* est impossible et qu'il ne peut que s'anéantir lui-même.

Qu'une condition nécessaire à la paix future puisse être imposée aux Etats rebelles, le bon sens le dit, et votre conduite aussi ne permet pas d'en douter, puisque déjà vous leur avez imposé en fait, à titre de condition, le vote de l'amendement qui abolit l'esclavage.

Un pas de plus et votre tâche est remplie. A côté de l'abolition de l'esclavage il vous reste à mettre l'égalité des races. Qu'est-ce que l'abolition sans l'égalité? Il vous reste à décider que les Etats rebelles, avant de rentrer au Congrès, doivent abolir toute distinction basée sur la couleur, quelles que soient d'ailleurs les conditions auxquelles ils soumettront désormais, pour les blancs comme pour les noirs, l'exercice des droits politiques.

Cette garantie obtenue, ouvrez-leur vos bras, hâtez la réconciliation générale, évitez la prolongation du régime exceptionnel, ajoutez à toutes vos gloires celle de rétablir le jeu de vos institutions au sortir de la guerre civile. La liberté doit avoir de ces audaces. Et que servirait d'être fort si ce n'était pour se confier et pour pardonner?

Il nous répugnerait trop de prévoir le cas où, vous arrêtant à moitié chemin, conférant aux anciens esclaves la liberté sans l'égalité, en d'autres termes, la

liberté sans les conditions de la vie libre, la liberté sans la dignité, la liberté sans l'avenir ouvert, sans le progrès possible, la liberté sans ce qui fait qu'on se tient debout et qu'on grandit, vous reconstitueriez de vos mains un nouveau parti de l'esclavage au sein du Congrès, une nouvelle oppression des esclaves dans tout le Sud.

Cherchant la paix, vous organiseriez la guerre.—La guerre servile d'abord, car on ne prononce pas impunément le mot de liberté, et quand ceux qu'on déclare libres sentent qu'ils n'ont ni protection, ni droits, ni moyens réguliers d'action, ils sont presque infailliblement poussés à employer d'autres moyens.—La guerre civile ensuite. Est-il possible que le sang des noirs coule de l'autre côté du Potomac, que les répressions cruelles s'y donnent carrière, et que les généreux instincts du Nord ne se réveillent pas? On se plaindra, on dénoncera les iniquités, on interviendra moralement, et voilà la vieille querelle ranimée!

Nous avons de meilleures espérances. En amis fidèles, nous avons voulu tout dire, convaincus que vous verrez bien ce qu'il y a de sympathie au fond de nos craintes et ce que notre sincérité renferme de respect et d'attachement.

Que Celui qui vous a gardés jusqu'ici continue à vous garder jusqu'au bout! Qu'il vous donne d'achever ce que vous avez commencé, de traiter en concitoyens et d'aimer en frères ceux qui, grâce à vous, ne sont plus esclaves! Qu'il accomplisse pour vous, dans le présent et dans l'avenir, tous les vœux dont nos cœurs sont remplis!

GENÈVE, *le* 10 *Avril*, 1866.

Pour le Comité de Genève: J. H. Serment, avocat, président; Munier, pasteur et professeur de théologie, vice-président; H. Tognietti, directeur de l'école industrielle, vice-président; Agénor Boissier, secrétaire; Zurlinden, député au Grand Conseil, secrétaire; Felix Bungener; Antoine Carteret, ancien conseiller d'État; Comte Agénor De Gasparin; Auguste De La Rive, professeur; Ducellier, député au Grand Conseil; L. A. Ducret, député au Grand Conseil; Benjamin Dufernex, député au Grand Conseil; Édouard Dufresne, docteur; Émile Golay, député au Grand Conseil; Merle-D'Aubigné, professeur; Adrien Naville, ancien conseiller d'État; Ernest Naville, professeur; Adrien Picot; Théodore Piguet, ancien conseiller d'État; C. Pronier, professeur; Richard, conseiller d'État; Amédée Roget, député au Grand Conseil; Wertheimer, grand rabbin.

Du canton de Vaud: M. Béchet, pasteur, à Montreux, président de l'association du sou pour les esclaves.

Pour le Comité de Bâle: Adolphe Christ, conseiller d'État, président; Hagenbach, professeur de théologie; Im Hof, conseiller d'État; G. Kiefer, négociant; Rodolphe Awengen-Treu; Rodolphe Kundig, pasteur; J. R. Wegner, conseiller municipal.

Pour le Comité de Neuchâtel: E. Robert-Tissot, pasteur, président; Ed. Petit-Pierre, pasteur, vice-président; U. Junier, notaire, secrétaire-caissier; F. De Perregaux-Montmollin, assesseur; L. Richard, assesseur.

Pour le Comité du Tessin: Felice Bianchetti, avocat, juge suppléant au Tribunal fédéral, président; Attilio Righetti, vice-président; Cesare Mola, professeur, secrétaire; Luigi Rusca, avocat; Guglielmo Franzoni; Luigi Rusca, colonel fédéral; Giacomo Zezi, avocat; Paolo Marconi, avocat.

Pour le Comité de Berne: Bernard, pasteur, président; A. Zeerleder, avocat, secrétaire; Bernard De Watteville, trésorier; De Watteville-De Portes; Victor De Tschann; Ed. De Watteville-De Diesbach; S. Hofmann-Blau; Desvoignes, conseiller d'État; Christen, négociant; Buhler, ancien conseiller d'État.

39TH CONGRESS, 1st Session. HOUSE OF REPRESENTATIVES. MIS. DOC. No. 113.

CHARLES ALLEN.

LETTER

FROM

THE SECRETARY OF STATE

TO THE

CHAIRMAN OF THE COMMITTEE ON FOREIGN AFFAIRS,

TRANSMITTING

Correspondence relating to the claim of Charles Allen, a British subject, for compensation for injuries done his property near Vicksburg.

MAY 4, 1866.—Referred to the Committee on Foreign Affairs and ordered to be printed.

DEPARTMENT OF STATE,
Washington, April 27, 1866.

SIR: At the instance of Sir Frederick W. A. Bruce, the British minister here, I have the honor to invite your attention to the enclosed copy of the correspondence between the British legation and this department upon the subject of the claim of Mr. Charles Allen, an alleged British subject, to compensation for the occupation of his property by the United States military authorities.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. N. P. BANKS,
Chairman of the Committee on Foreign Affairs,
House of Representatives.

List of papers.

Mr. Burnley to Mr. Seward, March 14, 1865.
Mr. Seward to Mr. Burnley, March 18, 1865.
Mr. Seward to Mr. Stanton, March 18, 1865.
Mr. Dana to Mr. Seward, May 19, 1865.
Mr. Hunter to Sir Frederick W. A. Bruce, May 20, 1865.
Sir Frederick W. A. Bruce to Mr. Hunter, October 26, 1865, with one enclosure and indorsements.
Mr. Seward to Sir Frederick W. A. Bruce, December 1, 1865.
Mr. Seward to Mr. Stanton, December 1, 1865.
Sir Frederick W. A. Bruce to Mr. Hunter, January 23, 1866.
Mr. Hunter to Sir Frederick W. A. Bruce, January 25, 1866.

Mr. Hunter to Mr. Stanton, January 25, 1866.
Mr. Eckert to Mr. Seward, February 23, 1866, with four enclosures.
Mr. Seward to Sir Frederick W. A. Bruce, February 26, 1866.
Sir Frederick W. A. Bruce to Mr. Seward, April 6, 1866, with seven enclosures.

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 14, 1865.

SIR: A British subject, named Charles Allen, has written to me requesting that I would endeavor to obtain for him some papers which were lodged by him in April or May of last year with Brigadier General Smith, commanding military station at Vicksburg, in support of a claim made by him for compensation from the United States government.

As Allen's application to Brigadier General Smith for the return of his papers, on the 12th of January, appears to have been ineffectual, I request that you will be so good as to forward them as soon as possible to this legation.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant.

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 18, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 14th instant, requesting that certain papers which Charles Allen, a British subject, had placed in the hands of Brigadier General Smith in support of a claim made by him for compensation from his government may be forwarded to your legation. In reply, I have the honor to state that I have requested the Secretary of War to cause instructions to be given for the transmission of the papers in question to this department for such disposition as you have indicated.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, March 18, 1865.

SIR: I have the honor to transmit herewith a copy of a note of the 14th instant, from Mr Burnley, requesting that certain papers which Charles Allen, a British subject, had placed in the hands of Brigadier General Smith, at Vicksburg, in support of a claim made by him against this government, may be forwarded to the British legation. I will thank you to cause instructions to be given for the transmission of the papers in question to this department, in order that they may reach Mr. Burnley.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. E. M. STANTON, *Secretary of War.*

Mr. Dana to Mr. Seward.

WAR DEPARTMENT,
Washington City, May 19, 1865.

SIR: In compliance with the request contained in your letter of the 18th of March last, enclosing a copy of a note from Mr. Burnley, I transmit the papers placed by Charles Allen, a British subject, in the hands of the commanding officer at Vicksburg, in support of a claim made by him against the government for compensation for damages alleged to have been committed upon his property by troops of the United States.

I have the honor to be, sir, your obedient servant,

C. A. DANA,
Assistant Secretary of War.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Hunter to Sir Frederick W. A. Bruce.

DEPARTMENT OF STATE,
Washington, May 20, 1865.

SIR: Referring to Mr. Burnley's note of the 14th of March last, requesting this department to obtain some papers which Mr. Charles Allen left with Brigadier General Smith, in support of a claim to compensation, I have the honor to enclose, in reply, the documents required, which were received in a letter of yesterday from the War Department.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER,
Acting Secretary.

Hon. SIR FREDERICK W. A. BRUCE.

Sir Frederick W. A. Bruce to Mr. Hunter.

[With enclosure and indorsements.]

WASHINGTON, *October* 26, 1865.

SIR: I have the honor to transmit to you in original a letter, with its indorsements, which has been addressed by Mr. Charles Allen to Major General Slocum, relative to the occupation by federal authorities of his property near Vicksburg.

It appears that the house of Mr. Allen, who states that he is a British subject, was, on the 13th of September, 1864, taken possession of by the military authorities; that it has ever since been used as a hospital, and that he has never received any rent for its occupation.

He now requests that his property shall be restored to him, which the general in command states to be impossible. If the necessity of its occupation continues, it appears to me that the claimant's application for rent is entitled to favorable consideration.

I beg you to return the original letter to me.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

[Enclosure No. 1.]

VICKSBURG, *September* 15, 1865.

GENERAL: On December 15, 1864, I made application to Brigadier General Smith, commanding post, that my property on the Warrenton road, being used as a post hospital, be restored to me. My application was returned to me, with the indorsement that the house was occupied by order of Major General Dana, and that there were a large number of patients which it would then be impossible to move.

I most respectfully ask that my property be turned over to my possession, and that I be paid rent for the time it has been in use by the government.

I have the honor to be, general, very respectfully, your obedient servant,

CHARLES ALLEN.

Major General J. W. SLOCUM,
Commanding Department.

[Indorsements.]

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, Miss., September 19, 1865.

Respectfully referred to Brevet Major General M. F. Force, commanding western district of Mississippi.

By order of Major General Osterhaus:

O. H. MARSHALL,
Lieutenant and Acting Assistant Adjutant General.

(In pencil.) Send to General Force. Impossible for the present time to vacate these premises. Claims for damages, occupation, or rent, should be sent to Washington.

HEADQUARTERS WESTERN DISTRICT OF MISSISSIPPI,
Vicksburg, Miss., September 21, 1865.

It is impossible to vacate the within-named premises at present. Claims for damages for the occupation, or for rent, must be presented in proper form before the Board of Claims at Washington, D. C., or to the Quartermaster General United States army.

By order of Brevet Major General Force:

J. E. EDWARDS,
Major and Assistant Adjutant General.

Mr. Seward to Sir Frederick W. A. Bruce.

DEPARTMENT OF STATE,
Washington, December 1, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 26th of October relative to the occupation, by the United States military authorities, of the property of Mr. Charles Allen, near Vicksburg, who requests that he may be placed in possession of the property in question, and that he may receive rent for the time it has been used by this government. In reply,

I have the honor to state that a copy of your communication has been submitted to the favorable consideration of the War Department.

I have the honor to be, with great respect, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. Sir Frederick W. A. Bruce, *&c., &c., &c.*

Mr. Seward to Mr. Stanton.

Department of State,
Washington, December 1, 1865.

Sir: I have the honor to transmit the enclosed copy of a communication of the 26th of October last from Sir Frederick Bruce relative to the occupation as a military hospital of certain property, near Vicksburg, belonging to Mr. Charles Allen, a British subject, who requests that he may be placed in possession of this property, and that he may receive rent during its occupancy by the United States.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. Edwin M. Stanton,
Secretary of War.

Sir Frederick W. A Bruce to Mr. Hunter.

Washington, *January* 23, 1866.

Sir: Mr. Charles Allen, whose case I had the honor to bring before Mr. Seward on the 26th of October last, has written to me stating that he has not yet been able to obtain possession of his property near Vicksburg, which is being used as a hospital by the military authorities.

Mr. Seward was good enough to inform me on the 1st of December that a copy of my communication had been submitted to the favorable consideration of the War Department.

Since the above date I have not had the honor to receive any further communication in the matter from the State Department.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. William Hunter, *&c., &c., &c.*

Mr. Hunter to Sir Frederick W. A. Bruce.

Department of State,
Washington, January 25, 1866.

Sir: I have the honor to acknowledge the receipt of your note of the 23d inst., relative to the case of Mr. Charles Allen, and to inform you that I have recalled the attention of the Secretary of War to the matter, with a view to ascertain the character and the results of the proceedings which have been instituted.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER,
Acting Secretary.

Hon. Sir Frederick W. A. Bruce, *&c., &c., &c.*

Mr. Hunter to Mr. Stanton.

DEPARTMENT OF STATE,
Washington, January 25, 1866.

SIR: Referring to Mr. Seward's letter to you of the 1st of December last relative to the case of Mr. Charles Allen, I have the honor to invite your attention to the enclosed copy of a communication of the 23d instant from Sir Frederick W. A. Bruce.

I have the honor to be, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

HON. EDWIN M. STANTON,
Secretary of War.

Mr. Eckert to Mr. Seward.

[Four enclosures.]

WAR DEPARTMENT,
Washington City, February 23, 1866.

SIR: I am directed by the Secretary of War to transmit herewith copies of the reports of Major General Wood, commanding the department of Mississippi, the Quartermaster General, and Judge Advocate General, with reference to the application presented at the instance of the British minister in your communication of December 1, 1865, of Mr. Charles Allen, of Vicksburg, Mississippi, to be put in possession of a building used for hospital purposes at that place, and to be paid rent for the period of its occupancy by the military authorities.

I have the honor to be, sir, your obedient servant,

THOMAS T. ECKERT.
Acting Assistant Secretary of War.

HON. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure No. 1.]

WAR DEPARTMENT,
Bureau of Military Justice, February 10, 1866.

SIR: The papers herewith respectfully returned relate to the application of Charles Allen, an alleged British subject residing in Vicksburg, for compensation for the use and occupation by the military authorities of the United States of a house belonging to him, situated near Vicksburg, in the State of Mississippi.

The building is used as a small-pox hospital.

The case seems clearly within the spirit of circular No. 51, A. G. O., November 27, 1865, constructive of the sections of the act of July 4, 1864, relating to the claims of loyal citizens in States not in rebellion for property taken and used for the army. According to the interpretation of the law therein enunciated, and which is deemed unquestionably correct, a loyal citizen residing in a loyal State could not receive from the executive department payment for a claim of this description arising in an insurrectionary region. Plainly an alien living in a State in rebellion cannot be in a better condition and should not be better treated than a loyal citizen of a loyal State.

The claimant should be referred to Congress for relief.

J. HOLT,
Judge Advocate General.

HON. SECRETARY OF WAR.

[Enclosure No. 2.]

QUARTERMASTER GENERAL'S OFFICE,
Washington, February 2, 1866.

Respectfully returned to the Secretary of War, with report that, under existing orders forbidding the payment of rent for captured property, rent cannot be paid in this case, unless the fact of the alienage of the claimant should exempt him and his property from the operation of the orders referred to, upon that alienage and perfect neutrality being proved.

Of that alienage no proof accompanies these papers. It appears to have been assumed, and the question of neutrality does not appear to have been raised.

Respectfully,

M. C. MEIGS,
Quartermaster General, Brevet Major General U. S. A.

[Enclosure No. 3.]

HEADQUARTERS WESTERN DISTRICT OF MISSISSIPPI,
Vicksburg, December 21, 1865.

The property mentioned within seems to be the one occupied at present for post hospital purposes. There are but five patients under treatment for small-pox now, but it is the opinion of the medical officer in charge that during the next three months the disease will be of more frequent occurrence, and that in consideration of the great expense that would necessarily be involved in fitting up a new hospital for the treatment of such cases, it would be impossible to give up the property without detriment to the government.

The medical director of the department can undoubtedly furnish more complete information.

P. J. OSTERHAUS,
Major General Volunteers.

[Enclosure No. 4.]

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, December 22, 1865.

Respectfully returned, inviting attention to the indorsement of Major General Osterhaus.

This property cannot be given up without injury to the public service or to the community at large.

THOMAS J. WOOD.
Major General of Volunteers, Commanding.

Mr. Seward to Sir Frederick W. A. Bruce.

DEPARTMENT OF STATE,
Washington, February 26, 1866.

SIR: Referring to your note of the 23d ultimo, and to previous correspondence between yourself and this department, upon the subject of the claim of Charles Allen to compensation for the alleged improper occupation of his property by the United States authorities, I have the honor to inform you that, upon an examination of the matter by the War Department, it has been ascertained that

the exigencies of the public services require the continuance of the use of the building and its premises as a small-pox hospital.

With reference to the payment for rent, I am informed that no provision by law exists for such a payment in cases of this character. If, however, it can be satisfactorily established that the claimant is a neutral British subject, the correspondence can be submitted through this department to Congress, by whom alone the request for remuneration can be entertained.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir Frederick W. A. Bruce to Mr. Seward.

[Seven enclosures.]

WASHINGTON, *April* 6, 1866.

SIR: With reference to your note of the 26th February, relative to the case of Mr. Charles Allen, I have now the honor to transmit to you in original a consular certificate issued to him by her Majesty's acting consul at New Orleans, and certain affidavits. I trust that this evidence will be found sufficient to establish the British nationality of Mr. Allen, and his neutrality during the late war, and that you will now have the goodness to submit to Congress his claim for remuneration in respect of the building used by the United States authorities as a small-pox hospital.

I have also the honor to forward in original Mr. Allen's claim, supported by an affidavit, for rent, at $50 per month.

Requesting you to return these original papers to me when no longer required, I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

[Enclosure No. 1.]

VICKSBURG, *March* 13, 1866.

The United States to Charles Allen, Dr.

For rent of house, &c., on Warrenton road, used as a post hospital, from September 13, 1864, to date, 18 months, at $50 per month..... $900

STATE OF MISSISSIPPI, *Warren county:*

Personally appeared before me, Coolley Mann, a justice of the peace in and for said county, Charles Allen, who made oath that the foregoing account is just, and due me by the United States, and that $50 per month is a very reasonable and low rent for my place, occupied by the United States, as above stated.

CHARLES ALLEN.

Sworn to and subscribed before me this 24th day of March, 1866.

COOLLEY MANN, *J. P.*

{ 6-cent } { stamp. }

[Enclosure No. 2.]

STATE OF MISSISSIPPI, *Warren county:*

Personally appeared before me, Coolley Mann, a justice of the peace in and for said county of Warren, George W. Hutchenson and Samuel Garvin, both residents of Warren county, and personally known to me, and credible witnesses, who severally made oath that they are acquainted with Charles Allen and his place on the Warrenton road, about one mile south of Vicksburg, and they know it has been occupied by the United States authorities for the time stated, and for the purposes mentioned in the within account; and that they consider $50 per month a very moderate and reasonable price for the rent of his premises; and that they are not related to said Allen, nor in any manner in his said account, a claim for rent.

GEO. HUTCHENSON.
S. GARVIN.

Sworn to and subscribed before me this 24th day of March, 1866.

COOLLEY MANN, *J. P.*

{ 6-cent }
{ stamp. }

[Enclosure No. 3.]

HER BRITANNIC MAJESTY'S CONSULATE FOR THE STATE OF LOUISIANA.

Know all men to whom these presents shall come, that I, Wm. Mure, esq. her Britannic Majesty's consul for the city of New Orleans and State of Louisiana, do hereby certify that Charles Allen, whose signature is hereunto attached, has produced evidence to show that he is a British subject, born in the city of London, England.

Given under my hand and seal of office, at the city of New Orleans, in the State of Louisiana, the twentieth day of August, one thousand eight hundred and sixty-three.

[SEAL.]

COPPELL, *H. B. M. Acting Consul.*

[Enclosure No. 4.]

STATE OF MISSISSIPPI, *Warren county:*

Personally appeared before me, Coolley Mann, a justice of the peace in and for the county of Warren aforesaid, George W. Hutcheson, who made oath that he had known Charles Allen for years, and lived on an adjoining place, and within two hundred yards of his residence on the Warrenton road, about one mile south of the city of Vicksburg, in Warren county, Mississippi, for about four years next preceding the surrender of Vicksburg to General Grant's army, on the 4th day of July, 1864. Affiant knows said Allen to be a British subject; that he took no part in the late war between the United States and Confederate States, but remained at home and observed a strict neutrality all the time, and that he had the flag of Great Britain hoisted over his house and premises during the siege and at the time of the surrender of Vicksburg.

Affiant has been and is intimate with said Allen, and believes him to be a man of strict integrity and perfectly reliable in all his statements and transactions.

GEORGE W. HUTCHENSON.

Sworn to and subscribed before me this 21st day of March, 1866.

COOLLEY MANN, *J. P.*

{ 6-cent }
{ stamp. }

[Enclosure No. 5.]

STATE OF MISSISSIPPI, *Warren county:*

Personally appeared before me, Coolley Mann, a justice of the peace in and for the county of Warren, Henry Hammet, who made oath that he had resided in Vicksburg, Mississippi, and its immediate vicinity, for about twenty years, and was here during the siege and late war. That he has known Charles Allen about seven or eight years; he is an Englishman, and affiant has never heard of his being naturalized or known him to vote. He was not in the army, but remaining at home during the war, and took no part on either side, so far as affiant knows or ever heard. Affiant considers said Allen a man of truth and veracity and reliable in all his dealings, and is satisfied he observed a strict neutrality during the late civil war.

HENRY HAMMETT.

Subscribed and sworn to before me this 21st day of March, 1866.

COOLLEY MANN, *J. P.*

{ 6-cent } { stamp. }

[Enclosure No. 6.]

STATE OF MISSISSIPPI, *Warren county:*

Personally appeared before me, Coolley Mann, a justice of the peace in and for said county of Warren, Alexander H. Arthur, who made oath that he has resided in Vicksburg, Mississippi, and immediate vicinity about thirty years. That he has known Charles Allen for seven or eight years and believes him to be a truthful and reliable man. That said Allen was not in the confederate army, but remained at home during the war, and, so far as affiant knows and believes, observed a strict neutrality between the contending parties.

A. H. ARTHUR.

Subscribed and sworn to before me this 21st day of March, 1866.

COOLLEY MANN, *J. P.*

[Enclosure No. 7.]

STATE OF MISSISSIPPI, *Warren county:*

Personally appeared before me, Coolley Mann, a justice of the peace in and for said county of Warren, Robert R. Williams, who made oath that he was for many years clerk and deputy clerk of the circuit and chancery courts of Warren county, Mississippi. That he has known Charles Allen well nearly ever since he has resided in the county, and affiant is confident he, said Allen, has never been naturalized or voted in said county. Affiant knows said Allen refused to be naturalized.

R. R. WILLIAMS.

Subscribed and sworn to before me this 21st day of March, 1866.

COOLLEY MANN, *J. P.*

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 114.

SPECIAL LAND TAX IN ALABAMA.

LETTER

FROM

R. M. PATTON, OF ALABAMA,

RELATIVE TO

The special land tax.

MAY 16, 1866.—Referred to the Committee of Ways and Means and ordered to be printed.

EXECUTIVE DEPARTMENT, STATE OF ALABAMA,
Montgomery, May 11, 1866.

To the honorable the Senate and House of Representatives of the United States:

The undersigned respectfully represents to your honorable body, that on the 18th day of March last (being at the time in Washington city) he addressed a communication to the Hon. Hugh McCulloch, Secretary of the Treasury, relative to the collection of the United States special land tax in the State of Alabama. With that communication was transmitted a copy of an act of the general assembly of Alabama, approved February 20, 1866, "to assume and provide for the payment of the tax on real estate, imposed by act of Congress of the 5th of August, 1861." By the said act of the general assembly of Alabama, the governor was authorized to assume, on the part of the State, the payment of the said tax, and to issue bonds of the State for that purpose bearing interest at the rate of seven per cent. per annum, and redeemable in twenty years. For the prompt payment of the interest, and certain redemption of the bonds, the faith of the State is not only solemnly pledged, but a special tax of one tenth of one per cent. is levied upon the value of all real estate subject to taxation in Alabama. The amount of the tax allotted to Alabama, under the act of Congress above referred to, is five hundred and twenty-nine thousand three hundred and thirteen dollars ($529,313.)

In the said communication to the Secretary of the Treasury the undersigned proposed that the United States government should take bonds of the State of Alabama, provided for under the act aforesaid, in payment of the taxes due in that State. The undersigned earnestly requested that, if the proposition should be declined, the collection of the said tax be not immediately enforced; but that time might be allowed for the people to recover, in some measure, at least, from the extreme depression which now rests upon all branches of business and industry. At the same time the assurance was given that, as soon as practicable, the amount due the United States should be raised, either by a tax collected by the State, the sale of bonds, or such other mode as might be deemed best.

Having learned that the Secretary of the Treasury, under existing laws, is not authorized to act in the matter; that he submitted the question for the consideration of Congress, and that the same is now pending before your honorable body, the undersigned hopes that it will not be considered improper to submit some other reasons in support of his appeal for favorable action in behalf of a people who, though perfectly willing to discharge in good faith all their tax liabilities, and fully determined to do so as soon as possible, are nevertheless, at the present time, utterly unable to bear the burden.

Alabama once occupied a proud position among her sisters in the Union. In prosperity, wealth, and enterprise she was excelled by few other States. From her agricultural industry she contributed for exportation, and to give life, vigor, and prosperity to the spindles and looms of our own States, well nigh a million of bales of cotton annually. Of this article she furnished more than one-fifth of the entire American crop. Her product of cotton, at a moderate computation, was worth at least fifty millions of dollars per annum. Besides her agricultural prosperity, her commercial, manufacturing, mechanical, scientific, and literary pursuits, and internal improvement enterprises, were all progressing in a most satisfactory degree.

But now it is far different. Her condition at home and her relations abroad have been most sadly changed. This unhappy change was wrought by the late unnatural, destructive, and sanguinary war. Her loss in substantial wealth, resulting from the war, may, at a low value, be computed at five hundred millions of dollars. Besides this, by the casualties of the battle-field, sickness, and other causes growing out of the war, the loss of young and middle-aged men is at least forty thousand. This is ascertained from reliable statistics. In addition to the number thus killed and died of disease while in the army, it may be safely estimated that at least twenty thousand were maimed or disabled for life. Many of these have died within the last year. In consequence of this mortality, there are in Alabama to-day fully twenty thousand widows and sixty thousand orphans, three-fourths of whom are utterly destitute and dependent upon the cold charities of the world for support. This is more than one-tenth of the white population of the State before the war. The loss in the colored population, by death, removal, and otherwise, has been fully equal to, and perhaps greater, than that of the whites.

During the war, and particularly for two years preceding its close, the contending armies occupied large portions of the State. These armies for most of the time were quite large, and, as a matter of course, consumed everything in the country for the sustenance of life, whether of man or beast. In April and May last the southern armies were permitted to capitulate in Virginia and North Carolina. The terms conceded by Generals Grant and Sherman were liberal and magnanimous. The officers and soldiers of the southern armies willingly returned home, to the bosoms of their families. In good faith they sunk the soldier into the citizen, and without delay sought employment in their various avocations. They labored under many discouragements. They had been long absent; the contest was protracted and disastrous. Those whose avocation it was to till the soil were especially embarrassed. Plantations and farms were found dismantled; houses and fences had been destroyed; horses and mules had been carried off. Besides all this, it was late in the season, far beyond the time for planting in the climate. But, notwithstanding all these disadvantages, every farmer who could obtain a horse or mule planted his crop of corn and faithfully worked it. But, like the fate of war, the season was against them; and for the want of rain there was a total failure in almost every part of the State.

These facts are stated in order that your honorable body may fully comprehend the causes of the great destitution, suffering, and in some cases starvation, in Alabama. This unfortunate condition of the country is by no means confined

to those who were humble and obscure before the war. Thousands who were wealthy, independent, and prosperous, are now reduced to extreme poverty and want. Many of this class, it is true, own lands; but they are without horses, and have no money or credit to purchase any. Hence their lands are entirely unproductive, and they are wholly destitute of the means of subsistence. This class, therefore, join in the daily cry for bread. You will readily see, from these facts, why it is that the federal government, through the active and praiseworthy exertions of Major General Swayne, is furnishing such a large amount of provisions to our people. Without this assistance the amount of actual starvation would have been absolutely appalling. The State and private charities are doing everything possible, in co-operation with the Freedmen's Bureau, to relieve the suffering; but it is feared that all combined will not be equal to the work.

The undersigned takes no pleasure in making this gloomy representation in regard to the condition of Alabama. He is not disposed to look upon the dark side of any picture; but it is proper that he should deal in candor, so that your honorable body may correctly determine whether or not you will act favorably upon the application to assume the said national tax. The tax commissioners are now in this city preparing their assessment books, (which, of course, it is their official duty to do,) under existing laws. Should your honorable body fail to respond favorably to the proposition of the undersigned, these commissioners will send their collectors out upon the land owners, and a vast amount of land will, under the law, be unavoidably forfeited and sacrificed.

By reference to official returns made to the Treasury Department by collectors of internal revenue tax, it will be seen that the general government has collected, since the close of the war, more than four millions of dollars in Alabama.

In order to carry on the operations of the State government of Alabama, it will be indispensably necessary to raise by taxation at least one million of dollars. A revenue law was recently enacted which will yield fully that amount. The county taxes will be unusually heavy for the present year. Many courthouses, jails, bridges, &c., were destroyed during the war, and have to be replaced. The aggregate of the county taxes will, perhaps, be quite equal to the State tax.

Under all these circumstances, it is earnestly hoped that your honorable body will grant that indulgence which is so urgently needed by an honorable, industrious, energetic, though unfortunately depressed people.

All of which is respectfully submitted.

R. M. PATTON,
Governor of Alabama.

EXPLOSION AT THE ARSENAL.

LETTER

FROM

MAJOR BENTON,

COMMANDANT OF THE WASHINGTON ARSENAL,

TRANSMITTING

A statement of the distribution of money to the sufferers by the late explosion in said arsenal.

JUNE 8, 1866.—Laid on the table and ordered to be printed.

WASHINGTON ARSENAL,
June 6, 1866.

SIR: In accordance with public resolution No. 84, passed March 7, 1866, appropriating the sum of twenty-five hundred dollars for the relief of the sufferers by the late explosion at the United States arsenal, in the District of Columbia, said money to be distributed under my direction, I have the honor to report that that duty has been performed, as will be shown by a copy of the enclosed statement.

I would respectfully state that the voucher for the enclosed statement has been transmitted to the Second Auditor of the Treasury Department for final settlement.

Very respectfully, your obedient servant,

J. G. BENTON,
Major of Ordnance and Brevet Colonel, Commanding.

Hon. EDWARD MCPHERSON,
Clerk to the House of Representatives, Washington, D. C.

WASHINGTON ARSENAL, D. C.,
May —, 1866.

SIR: In obedience to your instructions, I have the honor to make the following report in relation to the families of the persons who were killed or injured by the explosion at this arsenal on the 18th day of December, 1866.

Ellen Fealy, the wife of Thomas Fealy, is the mother of nine children, two of whom are married and two learning trades; each of these latter is earning three dollars and fifty cents per week. She owns two small frame houses and keeps a small store. The youngest of her family is five years old. The four youngest are females, aged, respectively, 5, 8, 10 and 12 years.

Catharine Meehan, the mother of John Meehan, has one daughter able to support herself, but has no means of support; is paying rent and has no property whatever.

Fannie Coyle, the widow of Martin Coyle, has one child, a girl eight months old. She has no property, and lives with her relations.

Margaret Moran, the widow of John Moran, has two children, aged, respectively, two and five years. She has no support or property, and is paying rent.

William Linn left a widowed mother, two sisters, and one brother. The two sisters are married. The brother is about seventeen years of age. The mother owns part of a house in Philadelphia.

Ellen Whiteley, the widow of Marsland Whiteley, has no property and no means of support. She has no family as yet.

Catharine Reardon, the widow of Patrick Reardon. She has one child four years old, has no property, pays rent, and has no means of support.

Mary McGarry, the widow of Peter McGarry. She has one child, a boy eight months old. She is paying rent and keeps a small store.

Michael McDermott has no relations in this neighborhood.

Jeremiah Mahoney left three sisters, Julia, Mary, and Johanna, who are living out in service. None of them are married.

John Crane was wounded and will be partly crippled for life. He has a wife and one child.

James Lawler was slightly wounded, but not so severely as to detain him from work. Has a father, mother, and sisters principally depending on him for support. Has no property.

Colonel J. G. BENTON,
Commanding United States Arsenal, Washington, D. C.

We, the subscribers, hereby acknowledge to have received of Brevet Colonel J. G. Benton, United States army, the sums set opposite our names, respectively, on account of the amount appropriated by the joint resolution of the House of Representatives, No. 84, passed March 7, 1866, "for the relief of the sufferers by the late explosion at the United States arsenal, in the District of Columbia," having signed duplicate receipts:

No.	Names.	Amount.
1.	Ellen Fealy, widow of Thomas Fealy	$350 00
2.	Mary McGarry, widow of Peter McGarry	300 00
3.	Catharine Meehan, mother of John Meehan	250 00
4.	Fannie Coyle, widow of Martin Coyle	250 00
5.	John Crane, severely injured	110 00
6.	Julia Mahoney, sister of Jeremiah Mahoney	33 33⅓
7.	Mary Mahoney, sister of Jeremiah Mahoney	33 33⅓
8.	Joanna Mahoney, sister of Jeremiah Mahoney	33 33⅓
9.	Margaret Moran, widow of John Moran	400 00
10.	Catharine Reardon, widow of Patrick Reardon	300 00
11.	James Lawler	40 00
12.	Elizabeth Linn, mother of Charles Linn	100 00
13.	Ellen Whiteley, widow of Marsland Whiteley	300 00
		2,500 00

J. G. BENTON,
Major Ord. and Brevet Colonel, Comd'g.

WASHINGTON ARSENAL, *May* 31, 1866.

AGRICULTURAL COLLEGE LANDS.

MEMORIAL

FROM THE

TRUSTEES OF THE INDIANA AGRICULTURAL COLLEGE,

RELATIVE TO

The law in relation to the lands for the benefit of said college.

MAY 25, 1866.—Referred to the Committee on the Public Lands and ordered to be printed.

INDIANAPOLIS, *Indiana, May* 12, 1866.

To the honorable the members of the Senate and House of Representatives in Congress assembled:

Your petitioners, the board of trustees of the Indiana Agricultural College, would respectfully represent unto your honorable body, that

Whereas the Congress of the United States, on the 2d day of July, in the year 1862, passed an act granting to the several States a quantity of land equal to thirty thousand acres for each senator and representative in Congress to which the States are respectively entitled by the apportionment under the census of 1860; and

Whereas it was further provided that the land aforesaid, after being surveyed, should be apportioned to the several States in sections or subdivisions of sections not less than one-quarter section, and that whenever there should be public land in a State, subject to sale at private entry, at one dollar and twenty-five cents per acre, the quantity to which said State should be entitled should be selected from such land within the limits of such State; and directing the Secretary of the Interior to issue land scrip to each of the States in which there should not be the quantity of public lands, subject to sale at private entry at one dollar and twenty-five cents per acre, to which such State might be entitled under the provisions of said act, to the amount in acres for the deficiency of its distributive share; said scrip to be *sold* by the States, and the proceeds thereof applied to the uses and purposes prescribed in said act; and

Whereas said act further provided that in *no case* should any State to which such land scrip might be thus issued be allowed to *locate* the same within the limits of any other State, or of any other Territory of the United States:

The State of Indiana, by an act of the general assembly thereof, approved March 6, 1865, accepted said grant for the uses and purposes and upon the conditions expressed in said act of Congress making the same.

It is believed by your petitioners that the provision of said act which reads as follows, to wit, "No State to which said land scrip may be issued under the provisions of said act shall be allowed to locate the same within the limits of any other State or Territory of the United States," operates to virtually defeat the object which Congress had in view in granting this most magnificent donation to

the several States. The scrip already thrown upon the market has hardly averaged sixty cents per acre, and is against public policy, as it places the several States directly in competition with the general government so far as the entry and sale of the public domain is concerned, as no one will enter and purchase lands of the United States, paying therefor the price of one dollar and twenty-five cents per acre, when land scrip can be purchased, like stocks in the market, at from forty to fifty, or, at most, sixty cents per acre, with which the same entry and purchase can be made.

It may be urged, in objection to the amendment, that it creates a monopoly; that the States, if suffered to locate lands with scrip, will withhold them from sale. A safeguard may be thrown around this objection by an additional section fixing a time within which, (say from five or more years,) after entry, said lands so located shall be offered for sale, such offers of sale to be made at stated periods thereafter, until the same shall be finally disposed of and the proceeds thereof converted to the uses and purposes intended to be accomplished in making said grant.

This objection is also untenable, when the object for which this grant was created is taken into account, as the more the States are enabled to realize from the sale of the lands, the more princely the endowment.

Similar grants have been made to railroads and other corporations which, by proper and skilful management, have accumulated a vast wealth, thereby better enabling them to accomplish the objects for which said grants were made, and which have tended, in a *very great* degree, to the development of the prosperity and wealth of the whole country at large.

Under the act, as it now reads, the whole of the scrip will fall into the hands of speculators, who may enter and withhold the lands from sale as long as it suits their convenience, in view of realizing large profits.

The compulsory sale of the scrip must, of necessity, defeat the object which Congress had in view in making the grant, and it would have been far better to donate the government price of 390,000 acres of land, at $1 25 per acre, in money, in the first place, than to establish such competition with the government, or open the door to private speculation at the expense of the trust which it was intended to convey.

The 390,000 acres of scrip awarded to the State of Indiana, if placed upon the market and sold at fifty cents per acre, would amount to $195,000, which, if invested in five per cent. stocks or bonds, would yield an interest of $9,500 for the endowment of the college, a sum which is wholly inadequate to accomplish the object in view, and if appropriated or divided out among other colleges for the establishment of agricultural and mechanical departments, would be too inconsiderable to be worthy of note.

In view of these facts, your petitioners would therefore respectfully and earnestly pray for a modification or change of said act, to the end that the several States to which the same may apply may be permitted to locate said scrip, in the same manner, and subject to the same rules and restrictions which pertain to assignees of said scrip in locating the same.

O. P. MORTON,
Governor and ex officio President.
SMITH VAWTER,
LEWIS BURKE,
HENRY TAYLOR,
ISAAC JENKINSON,
Board of Trustees of Ind. Agr'l College.
E. B. MARTINDALE,
Treasurer.
J. J. HAYDEN,
Secretary.

KOONTZ vs. COFFROTH.

PAPERS

REFERRED TO

THE COMMITTEE OF ELECTIONS,

IN THE

Contested election case of Koontz vs. Coffroth.

MAY 30, 1866.—Ordered to be printed.

No. 1.

WASHINGTON, D. C., *February* 23, 1866.

SIR: You are hereby notified that I will contest your right to a seat in the thirty-ninth Congress as a representative of the sixteenth congressional district of the State of Pennsylvania, composed of the counties of Adams, Franklin, Fulton, Bedford, and Somerset, for the reasons hereinafter given, among others, to wit:

I. Because certain of the certificates and papers referred to the Committee of Elections of the House of Representatives, upon which a majority of said committee reported that you had the *prima facie* title to the seat, and which report was adopted by the House, are false and erroneous in the following particulars, to wit:

1. The certificate and return signed by W. Findlay Mann, John H. Laker, Nathan Mirter, and F. Diehl, claiming to be a board of district return judges for said district, (see paper No. 4, report of Committee of Elections in the case of Alexander H. Coffroth and W. H. Koontz, pages 26 and 27,) does not give all the votes cast for the office of member of the House of Representatives for said district, as required by law. The entire vote of Somerset county, and a portion of the votes of the counties of Bedford, Fulton, and Adams, are omitted from said certificate and return, which said votes are hereinafter set forth. And further, the persons signing said certificate and return were not the legally authorized return judges for the respective counties in said district.

2. The return of Somerset county, signed by all the judges, and omitted from the count by said persons claiming to be a board of district judges, shows that William H. Kootz had twenty-five hundred and twelve votes (2,512) for the office of member of the House of Representatives, and Alexander H. Coffroth fifteen hundred and ninety-two, (1,592.) (See paper No. 6, Report of Committee, pages 28 and 29.)

3. The paper purporting to be a return of a majority of the board of return judges of Adams county, (see paper No. 11, Report of Committee, page 32,) is

false and erroneous, because it is not signed by all the judges composing said board, and present at the meeting thereof, as required by law; and further, because said judges did not compute all the votes cast by the electors of said county, but did, in violation of law, reject eight (8) returns of soldiers' votes, which said returns are hereinafter more fully set forth.

4. A certain paper purporting to be a return of the soldiers' vote of Bedford county, (see paper No. 9, Report of Committee of Elections, page 31,) is false and erroneous in that, 1st, said return was not signed by all the judges composing the board, and present at the meeting thereof, as required by law; 2d, said return does not include all the votes cast for the office of member of the House of Representatives for said district by the duly qualified electors of said county; the said judges having rejected two returns of soldiers' votes, to wit, return of barracks No. 1, Washington, D. C., and return of company H, 208th regiment Pennsylvania volunteers, which said returns are more fully hereinafter set forth.

5. The return of the board of judges of Fulton county, (see paper No. 7, Report of Committee of Elections, pages 29 and 30,) although signed by all the judges, is a false and incomplete return, for the reasons, 1st, that said board rejected, contrary to law, a return of soldiers votes' in company G, 205th regiment Pennsylvania volunteers, said voters being duly qualified electors of Fulton county, absent in the service of the United States; 2d, because the votes of certain qualified electors of Fulton county, absent in the military service of the United States, are not included in said return, to wit, thirty-eight voters of said county, who voted at barracks No. 1, Washington, D. C., and sixteen voters of said county of company H, 208th regiment, who voted at the company poll of said company, no returns of the elections by said voters for the office of member of the House of Representatives having been made to the prothonotary of said county, as required by law, but the number of votes cast having been included in the returns of said elections sent to the prothonotary of Bedford county.

II. Because the prothonotaries of the counties of Bedford and Adams did refuse to certify to the boards of return judges in said counties certain returns of soldiers' votes, and the said boards of return judges did, contrary to law, refuse to count certain returns of soldiers' votes, which said returns, not certified and counted, are as follows:

1. For that on the 11th day of October, 1864, being the second Tuesday thereof, the qualified electors of the several boroughs, townships, and election districts of the counties of Bedford and Fulton, in said sixteenth congressional district, then in actual military service under the requisition of the President of the United States, did hold an election for company H, of the 208th regiment of Pennsylvania volunteer infantry, according to the laws of Pennsylvania, at the quarters of Captain Harry Wishart, in camp, in the army of the James, in the State of Virginia; and that at said election fifty-two votes of qualified electors of the said sixteenth congressional district were duly cast, counted, and returned for member of the House of Representatives of the United States, of which said fifty-two votes, thirty-four votes were given for William H. Koontz, and eighteen votes were given for H. H. Coffroth. All of said voters were duly qualified electors of the counties of Bedford and Fulton, to wit, thirty-six of the county of Bedford, and sixteen of the county of Fulton. The names of the officers holding said election, the name of the persons voting thereat, and the return thereof, are contained in the report made to the House of Representatives by the Committee of Elections, January 26, 1866, pages 37, 38, 39, 40, and 41, and being paper No. 19. A return of this election was duly made within the time prescribed by law to the prothonotary of the county of Bedford, who refused to copy or certify to the same to the board of return judges of Bedford county. A copy of said return, duly certified by the secretary of the commonwealth, was produced before the board of return judges aforesaid on the 28th

day of October, 1864; said board of return judges threw out said return, and refused to count the same or any part thereof.

2. For that at the same time other qualified electors of the counties of Bedford and Fulton aforesaid, in the military service of the United States as aforesaid, did hold an election, according to the laws of Pennsylvania, at barracks No. 1, Soldiers' Rest, Washington, D. C., and at said election there were cast, for member of the House of Representatives of the United States, eighty-seven legal votes; of which William H. Koontz received fifty-eight, and A. H. Coffroth twenty-nine. Fifty of these qualified electors were citizens of the county of Bedford, and thirty-seven were citizens of the county of Fulton. The names of the officers holding said election, and of the electors of Bedford and Fulton counties voting thereat, as well as the return thereof, are contained in the report made to the House of Representatives before mentioned, pages 41, 42, 43, 44, 45, 46, 67, 68. A return of this election was also duly made within the time prescribed by law to the prothonotary of Bedford county, who refused to copy or certify the same to the board of return judges for Bedford county. A copy of said return, duly certified by the secretary of the commonwealth, was produced before said board of return judges on the 28th day of October, 1864, but said board of return judges threw out said return, and refused to count the same, or any part thereof.

3. For that on the same day and year certain qualified electors of the county of Fulton, in company G, 205th regiment Pennsylvania volunteers, in military service as aforesaid, at camp Old Court House, near City Point, Virginia, did hold an election according to the laws of Pennsylvania, at which were cast, for member of the House of Representatives of the United States, ten votes; of which William H. Koontz had eight, and A. H. Coffroth two. A return of this election was duly made to the prothonotary of Fulton county, and by him duly certified to the board of return judges of said county. Said board of return judges threw out this return, and refused to count the same, or any part thereof. The names of the officers who held said election, as well as the names of the qualified electors who voted thereat, are contained in the copy of return filed in the prothonotary's office of the county of Fulton.

4. For that on the same day and year certain qualified electors of the counties of Adams and Franklin, being in the military service of the United States as aforesaid, did hold elections according to the laws of Pennsylvania, to wit: eight several elections as hereinafter mentioned, at which the votes, as hereinafter mentioned, were polled for William H. Koontz and A. H. Coffroth, respectively.

No. 1. At Mower United States army hospital: for William H. Koontz, one vote; name of voter, Edward Blocker, Menallen township, Adams county.

No. 2. At Cuyler United States army hospital, Philadelphia: for William H. Koontz, one vote; name of voter, Henry Rupp, Huntingdon township, Adams county, private company H, 188th Pennsylvania volunteers.

No. 3. At McLellan United States army general hospital: for William H. Koontz, three votes; names of voters, George Booth, Littletown, Adams county, company B, 138th regiment Pennsylvania volunteers; William D. Hembaugh, Conewaga township, Adams county, and John Noel, both of company I, 87th regiment Pennsylvania volunteers.

No. 4 At White Plains, Virginia, company C, 202d regiment Pennsylvania volunteers: for William H. Koontz, twenty-seven votes; for A. H. Coffroth, fifteen votes.

No. 5. At camp near Front Royal, Virginia, companies B and G, 138th regiment Pennsylvania volunteers: for William H. Koontz, thirteen votes; for A. H. Coffroth, one vote.

No. 6. Company I, 210th regiment Pennsylvania volunteers: for William H. Koontz, nineteen votes; for A. H. Coffroth, nine votes.

No. 7. At camp near City Point, Virginia, 21st regiment Pennsylvania volunteers: for William H. Koontz, thirty-six votes; for A. H. Coffroth, four votes.

No. 8. At headquarters of company K, 184th regiment Pennsylvania volunteers: William H. Koontz had thirty-nine votes; A. H. Coffroth had twenty-one votes.

Returns of all which elections were duly made to the prothonotary of the county of Adams, and by him duly certified (except in the case of No. 7, which said return he refused to certify to said board, but laid before the board the original return) to the board of return judges of the county of Adams, which threw out said returns, and refused to count the same or any part thereof. The names of the officers holding all of said elections last mentioned, as well as the names of the qualified electors voting thereat, are contained in the report of the Committee of Elections heretofore mentioned, (pages 47 to 66,) and in the returns of said elections filed in the prothonotary's office of Adams county.

III. For that in Millerstown, Adams county, two more votes were duly cast for William H. Koontz than were counted for him in the return, or allowed by the board of return judges of the county of Adams.

IV. For that in the township of Cumberland, in the county of Adams, twenty-five persons offered their ballots for A. H. Coffroth for member of the House of Representatives, at the election held on the 11th day of October, 1864, for said township and county, which said ballots were received, deposited in the box, counted, and returned as legal and honest votes for said A. H. Coffroth; whereas, in truth and in fact, the said persons were not entitled to vote for member of the House of Representatives, they being paupers, supported by the county of Adams, having paid no taxes within two years, and not being residents of said election district. The following are the names of some of said persons: Henry Gepe, Lewis Morford, Samuel Rue, Patrick Mulligan, George Kline, Richard Stevens, George Luther, Andrew Kunce, Sam. Beard, George W. Morgan, William Keefer, Christian Spateman, Henry Hilt, John Gutenmort, and others.

V. For that on the same day and year, in the township of Franklin, and the county of Adams, there were more votes counted for the said A. H. Coffroth than he received, he having upon the return one hundred and ninety-seven, and having received but one hundred and ninety-four votes.

VI. For that at the same time, in the township of Cumberland, in the county of Adams, one hundred and thirty-two votes were returned for A. H. Coffroth; whereas but one hundred and thirty-one were cast for him, including the pauper votes hereinbefore named.

VII. For that in the township of Bedford, in the county of Bedford, twenty-five persons offered their ballots for A. H. Coffroth for member of the House of Representatives of the United States, at the election held on the 11th day of October, 1864, for said township and county, which said ballots were received, deposited in the box, counted, and returned as legal and honest votes for said A. H. Coffroth; whereas, in truth and in fact, the said persons were not entitled to vote for member of Congress, they being paupers, supported by the county of Bedford, having paid no taxes within two years, and not being residents of the said election district. The following are the names of some of said persons: A. Heavner, J. Burkhart, William Allen, Daniel Sherman, John Mayns, Michael Gallahan, James Sheeder, Enoch Armitage, William Gorsek, John Neusell, A. Wolfert, D. Dau, W. P. Monteith, P. Bedder, J. Flory, J. Thomas, David Flora, and others.

VIII. For that in the borough of Wellersburg, Somerset county, the polls were not opened until 12 o'clock m. on the second Tuesday of October, 1864; whereas they should have been opened between the hours of 8 and 10 a. m. At this poll a majority of nine votes was given for A. H. Coffroth; more than this number of qualified electors were deprived of their votes for William H. Koontz by the failure of the officers to open the election at the time required by law, wherefore the whole vote of this district should be rejected.

IX. For that on the same day and year, Augustus or ——— Suise, and

Hezekiah Hite offered their ballots for A. H. Coffroth for member of the House of Representatives, at the election held for the borough of Somerset, in the county of Somerset, which ballots were received, deposited in the box, counted, and returned as honest and legal votes for said A. H. Coffroth; whereas, in truth and in fact, said votes were not legal and honest, for the reason that said Augustus or ——— Suise was not a naturalized citizen of the United States, and said Hezekiah Hite was under the age of twenty-one years.

X. For that on the same day and year George (or Henry) Geisel and Augustus or ——— Suise offered their ballots for A. H. Coffroth for member of the House of Representatives, at the election held in the township of Somerset, in the county of Somerset, which ballots were received, deposited in the box, counted, and returned as legal and honest votes for A. H. Coffroth; whereas, in truth and in fact, said votes were not honest and legal, for the reason that said Geisel and Suise were foreigners, and not naturalized citizens of the United States.

XI. For that on the same day and year Frank Heen offered his ballot at camp ———, (he being then a member of the 62d regiment of Pennsylvania volunteers,) for A. H. Coffroth for member of the House of Representatives, which said ballot was received and counted by the officers holding said election, and a return thereof duly made to the prothonotary of Somerset county, and by him certified to the board of return judges of said county, and by them counted as an honest and legal vote for the said A. H. Coffroth; whereas, in truth and in fact, the said vote was not an honest and legal vote, for the reason that said Frank Heen was not a qualified voter of the borough of Somerset. The return of said vote is on file in the prothonotary's office of Somerset county.

XII. For that on the same day and year other illegal votes were offered at other election precincts, in and for said 16th congressional district, received and counted for the said A. H. Coffroth for member of the House of Representatives.

XIII. For that on the same day and year other legal and honest votes were cast for W. H. Koontz, by the qualified electors of said district, in the military service of the United States, but were not returned to the prothonotaries of the respective counties in time to be counted according to law, the said returns being on file in the office of the secretary of the commonwealth of Pennsylvania.

XIV. For that, on the same day and year, William H. Koontz had a clear majority of all the legal votes cast by the duly qualified electors of said 16th congressional district of Pennsylvania.

Respectfully yours,

WM. H. KOONTZ.

Hon. A. H. COFFROTH.

A full copy of this notice was served upon me by Captain W. F. Johnson on the 23d day of February, 1866.

A. H. COFFROTH.

WASHINGTON, D. C.

No. 2.

WASHINGTON, D. C., *March* —, 1866.

SIR: I have received a paper, signed by you, purporting to be a notice that you will contest my right to a seat in the 39th Congress as a representative of the 16th congressional district of the State of Pennsylvania, composed of the counties of Adams, Franklin, Fulton, Bedford, and Somerset.

Not waiving, but reserving, all my rights growing out of the manifest insufficiency of your notice, I submit the following for answer to the same:

I was elected to represent the 16th district of Pennsylvania, composed of the counties of Adams, Bedford, Fulton, Franklin, and Somerset, in the 39th Congress of the United States, at an election held on the 11th day of October, A. D. 1864.

The return judges of said election met at their respective county seats on the 14th of said month, counted the votes cast for Congress in the several election districts of their respective counties, and adjourned to meet on the 28th day of October, A. D. 1864, being the third Friday after the said election. They so met, on said day, at their respective county seats, and received and counted the votes cast for Congress and for other offices by qualified electors of Pennsylvania, residents of the said several counties in actual military service of the United States in the then several companies, camps, hospitals, &c., at an election held on said 11th day of October, 1864; and the said judges did also count many illegal and fraudulent votes cast for you in the several districts in said several counties, and in the several camps, hospitals, companies, &c., at an election held on the 11th day of October, 1864, and added the same to the votes so as aforesaid cast in the several election districts of their respective counties and counted aforesaid, and made out a fair statement of the whole number of votes cast by the electors of their respective counties at said election for Congress. Said statements were produced by one return judge from each county respectively, as required by law, at a meeting of such judges at Chambersburg, in Franklin county, on the fourth Friday after said election, being the 4th day of November, A. D. 1864. And the said judges from Adams, Bedford, Franklin, and Fulton added together the votes so returned, (the judge from Somerset being present and notified to attend the conference of the return judges, but refused to do so,) and the said judges then and there declared that I was duly elected to represent the 16th district of Pennsylvania in the 39th Congress of the United States, and then and there, in pursuance of law, made out and transmitted to me a certificate of election.

I aver that the board of county return judges did count every legal vote cast for you on the said 11th day of October, A. D. 1864, at the elections held in the different election precincts in the several counties, and also did count and add together all the legal votes cast for you by electors residing in said district who were in the military services of the United States; the said electors having voted in the different companies, camps, hospitals, &c., and the said votes aforesaid of the different counties composing the districts when added together, and being added together, sum up for Alexander H. Coffroth eleven thousand and sixty-seven votes for member of the House of Representatives of the United States, and William H. Koontz ten thousand nine hundred and seventy-four votes for the same office.

The following returns specified in your notice should not be counted:

No. 1. At Mower United States hospital, for William H. Koontz, one vote.

No. 2. At Cuyler United States army hospital, Philadelphia, for William H. Koontz, one vote.

No. 3. At McClellan United States army general hospital, three votes.

The above three specified returns are illegal and false, the election not being held in accordance with the laws of Pennsylvania regulating elections, and said persons voting were not qualified electors.

No. 4. At White Plains, Virginia, company C, 202d regiment of Pennsylvania volunteers, William H. Koontz, twenty-seven votes; for Alexander H. Coffroth, fifteen votes.

The said election not being held in accordance with the laws of Pennsylvania regulating elections, is illegal and void. The number of illegal votes polled for William H. Koontz are twenty-seven. The persons voting at said election were not qualified electors of the district.

No 5. At camp near Front Royal, Virginia, companies B and G, one hundred and thirty-eighth regiment Pennsylvania volunteers, William H. Koontz had thirty-two votes; Alexander H. Coffroth had one vote.

The said election not being held in accordance with the laws of Pennsylvania regulating elections, is illegal and void. The number of illegal votes polled for William H. Koontz are thirty-two; the persons voting at said election were not qualified electors of the district.

No. 6. Company I, two hundred and tenth regiment Pennsylvania volunteers: for William H. Koontz, nineteen votes; for Alexander H. Coffroth, nine votes.

The said election not being held in accordance with the laws of Pennsylvania, is illegal and void. The number of illegal votes polled for William H. Koontz is nineteen; the persons voting at said election were not qualified electors of the district.

No. 7. At camp near City Point, Virginia, twenty-first regiment Pennsylvania volunteers, William H. Koontz had thirty-six votes; for Alexander Coffroth, four votes.

The said election not being held in accordance with the laws of Pennsylvania regulating elections, is illegal and void. The number of illegal votes polled for William H. Koontz were thirty-six; the persons voting at said election were not qualified electors of the district.

No. 8. At headquarters of company K, one hundred and eighty-fourth regiment of Pennsylvania volunteers, William H. Koontz had thirty-nine votes; Alexander H. Coffroth had twenty-one votes.

The said election not being held in accordance with the laws of Pennsylvania regulating elections, is illegal and void. The number of illegal votes polled for William H. Koontz were thirty-nine; the persons voting at said election were not qualified electors of the district.

That the returns purporting to be a true return of an election held at barracks No. 1, Soldiers' Rest, Washington, D. C., at which place William H. Koontz had fifty-eight votes, and Alexander H. Coffroth twenty-nine votes, is illegal and fraudulent. The said election was not held pursuant to the law of Pennsylvania regulating elections, and that the persons who voted at said election were not qualified electors of the district.

That the returns purporting to be a true return of the election held in company H, of the two hundred and eighth regiment of Pennsylvania volunteer infantry, at the quarters of Captain Henry Wishart, in camp in the army of the James, in the State of Virginia, at which place William H. Koontz received thirty-four votes, and Alexander H. Coffroth eighteen votes, is illegal and fraudulent. The said election was not held in pursuance of the law of Pennsylvania regulating elections, and that the persons who voted at said election were not qualified electors of the district.

That the returns purporting to be a true return of an election held in company G, two hundred and fifth regiment of Pennsylvania volunteers, at "Camp Old Court House," near City Point, Virginia, at which place William H. Koontz had eight votes, is illegal and fraudulent.

The said election was not held in pursuance of the law of Pennsylvania regulating elections, and the persons voting at said election were not qualified electors of the district.

I deny your statement that there were more votes counted for me in the townships or districts you named in your notice than were cast for me, and also deny that there were more votes cast for you in the townships or districts you name than were counted for you.

I also deny that you lost one vote by the action of the election officers of Wellersburg, if it is true, as you state, that the election was not opened until twelve o'clock. The election was opened in time to receive all of the votes

which would be offered, and the conduct of the election officers was not in violation of law.

I deny your statement that a majority of the legal votes polled in the sixteenth congressional district at the October election, in the year of our Lord eighteen hundred and sixty-four, were cast for you.

I deny specifically and in detail each and every allegation made in your notice, with a view to show that I received illegal votes, or that legal votes were rejected which would have been cast for you at the election held on the eleventh day of October, A. D. 1864, from the first paragraph of your notice to the last paragraph inclusive.

I deny, specifically and in detail, each and every allegation you have made in your notice against the legality and validity of my election and return as a representative in the thirty-ninth Congress of the United States, so far as they can by me be comprehended or understood.

And I aver that many fraudulent, false, and illegal votes were cast for you, the said William H. Koontz, by persons not qualified electors of the said district; that false returns were made for you, the said William H. Koontz, of votes which were not in fact cast for you, and that such false, fraudulent, and illegal votes were counted by the return judges of the several counties of the said district, contrary to law.

I particularly specify the following illegal and fraudulent returns, which said elections were not held according to the law of Pennsylvania regulating elections, and therefore should not be counted; and of fraudulent votes cast for William H. Koontz, at the election held on the 11th day of October, A. D. 1864, and counted by the return judges of the county of Bedford:

No. 1. At an election held at Camp Cadwalader, Philadelphia, Pennsylvania, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 2. At an election held at Chapin's Farm, Virginia, company K, fifty-fifth regiment of Pennsylvania volunteers, there were six votes cast for William H. Koontz; Alexander H. Coffroth had six votes. Number of illegal votes returned and counted for William H. Koontz, six.

No. 3. At an election held at Chapin's Farm, Virginia, company H, fifty-fifth regiment of Pennsylvania volunteers, William H. Koontz had thirteen votes; Alexander H. Coffroth had eight votes. Number of illegal votes returned and counted for William H. Koontz, thirteen.

No. 4. At an election held at Fort Marcy, Virginia, 1st Pennsylvania artillery, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 5. At an election held at Campbell hospital, Washington, D. C., company D, thirteenth Pennsylvania cavalry, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 6. At an election held at Fort Steedman, Virginia, company B, one hundred and forty-eighth Pennsylvania cavalry, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 7. At an election held at Fort Dushane, Dinwiddie county, Virginia, company A, eleventh Pennsylvania cavalry, William H. Koontz had five votes. Number of illegal votes returned and counted for William H. Koontz, five.

No. 9. At an election held at headquarters, in camp, army of the James, Captain Weaverling's company (K,) two hundred and eighth Pennsylvania regiment, William H. Koontz had seventy-one votes; Alexander Coffroth had three votes. Number of illegal votes returned and counted for William H. Koontz, seventy-one.

No. 10. At an election held at camp near Winchester, Virginia, company F, fifty-ninth regiment Pennsylvania volunteers, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 11. At an election held at camp near Winchester, Virginia, company H, forty-ninth Pennsylvania regiment, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 12. At an election held at Chester hospital, company F, one hundred and thirty-eighth Pennsylvania regiment of volunteers, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 13. At an election held at headquarters, Camp Philadelphia, one hundred and eighty-sixth Pennsylvania regiment, William H. Koontz received twenty-two votes; Alexander H. Coffroth received three votes. Number of illegal votes returned and counted for William H. Koontz, twenty-two.

No. 14. At an election held at Sickles barracks, Virginia, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 15. At an election held at Mansion House hospital, Alexandria, Virginia, company H, fifty-fifth regiment of Pennsylvania volunteers, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 16. At an election held at Chapin's Farm, headquarters army of the James, company I, one hundred and fifty-second regiment of Pennsylvania volunteers——

No. 17. At an election held at Navy School hospital, Annapolis, Maryland, William H. Koontz received four votes. Number of illegal votes returned and counted for William H. Koontz, four.

No. 18. At an election held at Carver hospital, Washington, D. C., William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 19. At an election held at Camp Parole, Annapolis, Maryland, William H. Koontz received two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 20. At an election held near Petersburg, Virginia, company A, eighty-fourth regiment Pennsylvania volunteers, William H. Koontz received six votes; Alexander H. Coffroth had three votes. Number of illegal votes returned and counted for William H. Koontz, six.

No. 21. At an election held at Chapin's Farm, Virginia, William H. Koontz received ten votes; Alexander H. Coffroth received three votes. Number of illegal votes returned and counted for William H. Koontz, ten.

No. 22. At an election held at the United States National hospital, Baltimore, Maryland, William H. Koontz received two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 24. At an election held at Cedar Creek, Western Virginia, company H, fifty-fourth regiment Pennsylvania volunteers, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 25. At an election held at camp near Winchester, Frederick county, Virginia, company E, forty-ninth regiment Pennsylvania volunteers, William H. Koontz received six votes. Number of illegal votes returned and counted for William H. Koontz, six.

No. 26. At an election held at McClellan United States army general hospital, company D, fifty-fifth regiment of Pennsylvania volunteers, William H. Koontz received four votes. Number of illegal votes returned and counted for William H. Koontz, four.

No. 27. At an election held at Washington, D. C., in Douglas hospital, company A, one hundred and forty-eighth regiment Pennsylvania volunteers, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz one.

No. 28. At an election held at Baptist Church hospital, Alexandria, Virginia, company H, one hundred and ninety-first regiment Pennsylvania volunteers, William H. Koontz received one vote. The number of illegal votes returned and counted for William H. Koontz, one.

No. 29. At an election held at Harewood hospital, Washington, D. C., William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 30. At an election held at United States hospital, Baltimore, Maryland, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 32. At an election held at Camp Bradford, near Baltimore, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No 33. At an election held at Camp Carroll, headquarters of company Q, one hundred and ninety-fourth regiment of Pennsylvania volunteers, William H. Koontz received seventeen votes. Number of illegal votes returned and counted for William H. Koontz, seventeen.

No. 34. At an election held at Camp Biddle, William H. Koontz received forty votes; Alexander H. Coffroth had fourteen votes. Number of illegal votes returned and counted for William H. Koontz, forty.

No. 35. At an election held at Bolivar Heights, Virginia, company K, twelfth Pennsylvania cavalry, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 36. At an election held at Remount Camp, Martinsburg, West Virginia, William H. Koontz received seven votes. Number of illegal votes returned and counted for William H. Koontz, seven.

No. 37. At an election held at Bolivar Heights, Virginia, company G, twelfth Pennsylvania cavalry, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 38. At an election held at Chapin's Farm, Virginia, company D, fifty-fifth Pennsylvania regiment, William H. Koontz received thirteen votes, Alexander H. Coffroth ten votes. Number of illegal votes returned and counted for William H. Koontz, thirteen.

No. 39. At an election held at camp near Front Royal, Warren county, Virginia, companies D, E, and F, one hundred and thirty-eighth regiment Pennsylvania volunteers, William H. Koontz received thirty-two votes; Alexander H. Coffroth twenty-nine. Number of illegal votes returned and counted for William H. Koontz, thirty-two.

No. 40. At an election held at United States general hospital, York, Pennsylvania, company C, eleventh Pennsylvania cavalry, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 41. At an election held at Mower United States general hospital, William H. Koontz received four votes. Number of illegal votes returned and counted for William H. Koontz, four.

No. 42. At an election held at Cuyler hospital, Philadelphia, William H. Koontz received two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 43. At an election held at No. 374 H street, Washington, D. C, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 44. At an election held at Old Prince George Court House, Virginia, company C, two hundredth regiment Pennsylvania volunteers, William H. Koontz had three votes. Number of illegal votes returned and counted for William H. Koontz, three.

No. 45. At an election held at camp in the field, Virginia, company I, one

hundred and ninety-first regiment Pennsylvania volunteers, William H. Koontz had three votes; Alexander H. Coffroth received two votes. Number of illegal votes returned and counted for William H. Koontz, three.

No. 48. At an election held at camp near Petersburg, company H, one hundred and forty-ninth regiment of Pennsylvania volunteers, William H. Koontz received six votes; Alexander H. Coffroth had five votes. Number of illegal votes returned and counted for William H. Koontz, six.

No. 49. At an election held at depot field hospital, City Point, Virginia, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 50. At an election held at Dismounted Camp, Virginia, company I, twenty-first cavalry, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 52. At an election held at Lincoln general hospital, Washington, D. C., William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No 53. At an election held near Old Court House, Virginia, company C, two hundred and fifth regiment Pennsylvania volunteers, William H. Koontz had seven votes; Alexander H. Coffroth had four votes. Number of illegal votes returned and counted for William H. Koontz, seven.

In the borough of Bloody Run, in the county of Bedford, five persons offered their ballots for William H. Koontz for member of the House of Representatives of the United States at the election held on the eleventh day of October, A. D. 1864, for said borough, which said ballots were received, deposited in the box, counted, and returned as legal and honest votes for the said William H. Koontz; whereas, in truth and in fact, said persons were not qualified electors, and, therefore, not competent to vote for Congress.

The following illegal votes were also counted and returned for William H. Koontz:

Ten in the township of Broad Top.
Ten in the township of Hopewell.
Ten in the township of Monroe.
Ten in the township of East Providence.
Ten in the township of West Providence.
Ten in the township of Union.
Ten in the township of Middle Woodbury.
Ten in the township of South Woodbury.

For that at the election polls of the following boroughs and townships, in the county of Bedford, three hundred qualified electors of Bedford county would have cast their ballots on the eleventh day of October, A. D. 1864, for Alexander H. Coffroth for member of the House of Representatives of the United States, but were prevented from casting their ballots at said election by threats and violence of armed soldiers in the service of the United States, who were at and stationed around the election polls of the different boroughs and townships of said county of Bedford:

Thirty qualified electors of St. Clair township.
Thirty qualified electors of Southampton township.
Ten qualified electors of the borough of Schellsburg.
Twenty qualified electors of the township of Napier.
Ten qualified electors of the borough of Bedford.
Twenty qualified electors of the township of Bedford.
Twenty qualified electors of the township of Juniata.
Twenty qualified electors of the township of Harrison.
Twenty qualified electors of the township of Cumberland Valley.
Twenty qualified electors of the township of Londonderry.

One hundred qualified electors in the other townships and boroughs of the county of Bedford.

I further particularly specify the following illegal and fraudulent returns, which said elections were not held according to the laws of Pennsylvania regulating elections, and therefore should not be counted; and of fraudulent votes cast for William H. Koontz at the election held on the eleventh day of October, A. D. 1864, and counted by the return judges for the county of Adams:

No. 1. At Camp Parole, Annapolis, Maryland, William H. Koontz received three votes. Number of illegal votes returned and counted for William H. Koontz, three.

No. 2. At third Pennsylvania artillery, Fort Monroe, Virginia, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 3. At first Pennsylvania home brigade cavalry, Bolivar Heights, Virginia, William H. Koontz received sixteen votes. Number of illegal votes returned and counted for William H. Koontz, sixteen.

No. 4. At third Pennsylvania artillery, Fort Monroe, Virginia, William H. Koontz had six votes. Number of illegal votes returned and counted for William H. Koontz, six.

No. 5. At two hundred and tenth Pennsylvania regiment, Colored Camp, Squirrel Hill, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 6. At Cove Gap, Pennsylvania one-hundred-days men, William H. Koontz received two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 7. At forty-ninth Pennsylvania infantry, company I, Winchester, Virginia, William H. Koontz received eight votes. Number of illegal votes returned and counted for William H. Koontz, eight.

No. 8. At two hundred and fifth Pennsylvania infantry, company I, Old Court House, Virginia, William H. Koontz had sixteen votes; Alexander H. Coffroth had twenty votes. Number of illegal votes returned and counted for William H. Koontz, sixteen.

No. 9. At the one hundred and eighty-seventh Pennsylvania infantry, at Camp Cadwalader, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 10. At Chester hospital, Pennsylvania, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 11. At the two hundred and ninth Pennsylvania infantry, company G, Bermuda Hundred, William H. Koontz had fifty-four votes; Alexander H. Coffroth had thirty-five votes. Number of illegal votes returned and counted for William H. Koontz, fifty-four.

No. 12. At McConnellsburg, Pennsylvania independent scouts, William H. Koontz received six votes; Alexander H. Coffroth had two. Number of illegal votes returned and counted for William H. Koontz, six.

No. 13. At Camp Cadwalader, Pennsylvania, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 14. At the forty-ninth Pennsylvania infantry, Winchester, Virginia, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 15. At Jarvis hospital, Baltimore, Maryland, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 16. At York hospital, York, Pennsylvania, William H. Koontz had six votes. Number of illegal votes returned and counted for William H. Koontz, six.

No. 17. At Chattanooga, Tennessee, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 18. At the ninth Pennsylvania cavalry, Whiteside, Tennessee, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 19. At company A, First regiment light artillery, Chapin's Farm, Virginia, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

For that in the township of York Springs, in the county of Adams, twenty persons offered their ballots for William H. Koontz for member of the House of Representatives of the United States, at the election held on the eleventh day of October, A. D. 1864, for the said township, which said ballots were received and deposited in the box, counted and returned as legal and honest votes for William H. Koontz, whereas, in truth and in fact, said persons were not qualified electors, and therefore not competent to vote for member of Congress.

The following illegal votes were also polled for William H. Koontz:

Ten votes in the township of Menallen.
Ten votes in the borough of Gettysburg.
Five votes in the borough of Berwick.
Ten votes in the township of Freedom.
Ten votes in the township of Butler.
Ten votes in the township of Highland.

I further specifically state the following illegal and fraudulent returns, which said elections were not held according to the law of Pennsylvania regulating elections, and therefore should not be counted; and of fraudulent votes cast for William H. Koontz, at the election held on the eleventh day of October, A. D. 1864, and counted by the return judges for the county of Fulton:

No. 1. At Camp Greencastle, Pennsylvania, detachment signal corps of the United States army, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 2. At Camp Biddle, Pennsylvania, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 3. At Haddington United States hospital, Philadelphia, Pennsylvania, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 4. At United States army general hospital, York, Pennsylvania, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 5. At Camp Parole, Annapolis, Maryland, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 6. At Camp Provost Guard, Philadelphia, Pennsylvania, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 7. At company E, forty-ninth regiment Pennsylvania volunteers, at camp near Winchester, Virginia, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 8. At Camp Reuit, Martinsburg, West Virginia, William H. Koontz had five votes, and Alexander H. Coffroth had two. Number of illegal votes returned and counted for William H. Koontz, five.

No. 9. At company K, two hundred and second regiment Pennsylvania volunteers, Thoroughfare Gap, William H. Koontz had four votes. Number of illegal votes returned and counted for William H. Koontz, four.

No. 10. At company D, two hundred and ninth regiment Pennsylvania volunteers, at the defences of Bermuda Hundred, Virginia, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 11. At the United States general hospital, Philadelphia, Pennsylvania,

William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No 12. At No. 374 H street, Washington, D. C., William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

I further particularly specify the following illegal and fraudulent returns, which said elections were not held according to the law of Pennsylvania, and therefore should not be counted, and that fraudulent votes were cast for William H. Koontz at the election held on the eleventh day of October, A. D. 1864, and counted by the return judges for the county of Somerset:

No. 1. At Clarysville hospital, Maryland, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 2. At Seward light artillery barracks, William H. Koontz received two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 3. At Patterson park, White Hall, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 4. General hospital United States army, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 5. At Columbia hospital, Washington, District of Columbia, William H. Koontz received two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 6. Third Division general hospital, Alexandria, Virginia, William H. Koontz received five votes. Number of illegal votes returned and counted for William H. Koontz, five.

No. 7. At McClellan United States army general hospital, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 8. At Seminary hospital, Washington, District of Columbia, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 9. At Campbell hospital, Washington, District of Columbia, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 10. At Camp Parole, Annapolis, Maryland, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 11. At Sherman barracks, Washington, District of Columbia, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 12. At Mount Pleasant hospital, Washington, District of Columbia, William H. Koontz had three votes. Number of illegal votes returned and counted for William H. Koontz, three.

No. 13. At Baptist Church hospital, William H. Koontz received two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 14. At company D, 198th regiment Pennsylvania volunteers, William H. Koontz received six votes. Number of illegal votes returned and counted for William H. Koontz, six.

No. 15. At company F, 142d regiment of Pennsylvania volunteers, William H. Koontz received ten votes; Alexander H. Coffroth had four. Number of illegal votes returned and counted for William H. Koontz, ten.

No. 16. At company C, 142d regiment of Pennsylvania volunteers, William H. Koontz received sixteen votes. Number of illegal votes returned and counted for William H. Koontz, sixteen.

No. 17. At Haddington United States army hospital, William H. Koontz re-

ceived two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 18. At company L, 3d Pennsylvania artillery, William H. Koontz received six votes. Number of illegal votes returned and counted for William H. Koontz, six.

No. 19. At company G, 54th regiment Pennsylvania volunteers, William H. Koontz received sixteen votes; Alexander H. Coffroth three votes. Number of illegal votes returned and counted for William H. Koontz, sixteen.

No. 20. At Chester hospital, William H. Koontz received two votes; Alexander H. Coffroth one vote. Number of illegal votes returned and counted for William H. Koontz, two.

No. 21. At company E, 49th regiment Pennsylvania volunteers, William H. Koontz received four votes. Number of illegal votes returned and counted for William H. Koontz, four.

No. 24. At company H, 211th Pennsylvania volunteers, Camp Defences, William H. Koontz received thirteen votes; Alexander H. Koffroth one vote. Number of illegal votes returned and counted for William H. Koontz, thirteen.

No. 25. At company H, 54th regiment Pennsylvania volunteers, Cedar Creek, William H. Koontz received twenty-seven votes; Alexander H. Coffroth nine votes. Number of illegal votes returned and counted for William H. Koontz, twenty-seven.

No. 26. At company E, 54th regiment Pennsylvania volunteers, Cedar Creek, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 27. At company D, 54th regiment Pennsylvania volunteers, Cedar Creek, William H. Koontz had six votes. Number of illegal votes returned and counted for William H. Koontz, six.

No. 28. At Sickles barracks, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 29. At the 211th Pennsylvania regiment, Bermuda Hundred, Virginia, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 30. At company K, fifth Pennsylvania heavy artillery, William H. Koontz had twenty-three votes; Alexander H. Coffroth eight votes. Number of illegal votes returned and counted for William H. Koontz, twenty-three.

No. 31. At United States general hospital, Baltimore, Maryland, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 32. At United States general hospital, York, Pennsylvania, William H. Koontz had three votes. Number of illegal votes returned and counted for William H. Koontz, three.

No. 33. At 15th United States infantry, Lookout mountain, Tennessee, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 34. At Cuyler hospital, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 35. Mower United States general hospital, William H. Koontz received five votes. Number of illegal votes returned and counted for William H. Koontz, five.

No. 36. At Summit House United States hospital, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 37. Rendezvous of district, William H. Koontz received four votes; Alexander H. Coffroth, one vote. Number of illegal votes returned and counted for William H. Koontz, four.

No. 38. At the United States army general hospital, William H. Koontz had

one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 39. At Lincoln general hospital, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 40. At Armory Square hospital, William H. Koontz received one vote. Number of illegal votes returned and counted for William H. Koontz, one.

For that in the township of Somerset and county of Somerset, twenty-five persons offered their ballots for William H. Koontz for member of the House of Representatives of the United States at the election held on the eleventh day of October, A. D. 1864, for said township; which said ballots were received and deposited in the box, counted and returned as legal and honest votes for William H. Koontz; whereas, in truth and in fact, said persons were not qualified electors, and therefore not competent to vote for member of Congress.

Also the following illegal votes polled in said county for William H. Koontz: Five votes in the borough of Somerset; twenty-five votes in the township of Jennar; twenty votes in the township of Conemaugh; twenty votes in the township of Paint; twenty votes in the township of Shade; twenty votes in the township of Quemahoning; twenty votes in the township of Stony Creek; twenty votes in the township of Milford; twenty votes in the township of Upper Turkeyfoot; ten votes in the township of Middle Creek; ten votes in the township of Jefferson; ten votes in the township of Brother's Valley; ten votes in the township of Summit; ten votes in the township of Greenville; ten votes in the township of Southampton.

For that in the township of Somerset, county of Somerset, five persons offered their ballots for Alexander H. Coffroth for member of the House of Representatives of the United States, who were in the military service and who sent their ballots to said township at the election held on the eleventh day of October, A. D. 1864, for said township; which said ballots were rejected by the officers holding said elections, when, in truth and in fact, they were legal and honest votes, and said persons were duly qualified electors for said township; and said ballots should have been deposited in the ballot-box and counted and returned for the said Alexander H. Croffroth.

For that in the township of Quemahoning, county of Somerset, ten persons offered their ballots for Alexander H. Coffroth for member of the House of Representatives of the United States, who were in the military service and who sent their ballots to said township at the election held on the eleventh day of October, A. D. 1864, for said township; which said ballots were rejected by the officers holding said election, when, in fact and in truth, they were legal and honest votes, and said persons were duly qualified electors for said township; and said ballots should have been deposited in the ballot-box and returned for the said Alexander H. Coffroth.

For that in the borough of Stoystown, county of Somerset, five persons offered their ballots for Alexander H. Coffroth for member of the House of Representatives of the United States, who were in the military service and who sent their ballots to said borough at the election held on the eleventh day of October, A. D. 1864, for said borough; which said ballots were rejected by the officers holding said election, when, in truth and in fact, they were legal and honest votes, and said persons were duly qualified electors for said township; and said ballots should have been deposited in the ballot-box and returned for the said Alexander H. Coffroth.

For that George Markel, John C. Helf, Davis Rubright, William Rubright, Israel Hiner, Chauncy Long, Daniel Ream, Charles Ors, and other qualified electors of Somerset county, Pennsylvania, who were in the military service of the United States, offered their ballots for Alexander H. Coffroth for member of the House of Representatives of the United States, at an election held by electors in the military service of the United States for the State of Pennsyl-

vania, at Bunker's Hill, in the State of Virginia, on the 11th day of October, A. D. 1864, but the election officers holding said election refused to receive said ballots, when, in truth and fact, they were legal and honest ballots, and the persons offering to vote were qualified electors, and said ballots should have been received, returned, and counted for Alexander H Coffroth.

I further specifically state the following illegal and fraudulent returns, which said elections were not held according to the law of Pennsylvania regulating elections, and therefore should not be counted; and of fraudulent votes cast for William H. Koontz, at the election held on the 11th day of October, A. D. 1864, and counted by the return judges for the county of Franklin:

No. 1. At Whitesides, Tennessee, detachment of 9th Pennsylvania artillery, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 2. At Camp Biddle, Carlisle, Pennsylvania, William H. Koontz had three votes. Number of illegal votes returned and counted for William H. Koontz, three.

No. 3. At Hedfesville, Virginia, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 4. At company E, 17th Pennsylvania cavalry, at Winchester, Virginia, William H. Koontz had seven votes; Alexander H. Coffroth one vote. Number of illegal votes returned and counted for William H. Koontz, seven.

No. 5. At Camp Hamilton, Fortress Monroe, Virginia, William H. Koontz one vote. Number of illegal votes returned and counted for William H. Koontz, one. Number of illegal votes returned and counted for William H. Koontz, one.

No. 6. At company B, 148th regiment, Fort Steedman, near Petersburg, Virginia, William H Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 7. At company E, 149th regiment Pennsylvania volunteers, held near Bellard house, Weldon railroad, Virginia, William H. Koontz four votes. Number of illegal votes returned and counted for William H. Koontz, four.

No. 8. At company H, 208th regiment Pennsylvania volunteers, at Captain Harvey Wishart's quarters, in camp, army of the James, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 9. At headquarters battery A, 1st regiment Pennsylvania light artillery, near Chapin's Farm, Virginia, William H. Koontz had eight votes. Number of illegal votes returned and counted for William H. Koontz, eight.

No. 10. At Lincoln general hospital, District of Columbia, William H. Koontz had six votes. Number of illegal votes returned and counted for William H. Koontz, six.

No. 11. At company G, 205th regiment Pennsylvania volunteers, at Camp "Old Court House," near City Point, Virginia, William H. Koontz had six votes; Alex. H. Coffroth had three votes. Number of illegal votes returned and counted for William H. Koontz, six.

No. 12. At Carver hospital, William H. Koontz had four votes. Number of illegal votes returned and counted for William H. Koontz, four.

No. 13. At Douglas hospital, William H. Koontz had one vote. Number of illegal votes returned and counted for William H. Koontz, one.

No. 14. At McClellan United States army hospital, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

No. 15. At Chapin's Farm, Virginia, William H. Koontz had two votes. Number of illegal votes returned and counted for William H. Koontz, two.

For that in the south wards in the borough of Chambersburg, county of Franklin, Major General D. N. Couch, Major J. N. Shultz, Major John Burt, Captain

J. Brent Swearanger, and forty other persons offered their ballots for William H. Koontz, for member of the House of Representatives of the United States, at the election held on the 11th day of October, A. D. 1864, for said south wards, which said ballots were received and deposited in the box, counted, and returned as legal and honest votes for William H. Koontz; whereas, in truth and in fact, said persons were not qualified electors, and therefore not competent to vote for member of Congress.

I also aver that there were polled, returned, and counted one hundred illegal votes for William H. Koontz, for member of the House of Representatives of the United States, at the other election districts of the county of Franklin.

I aver that the elections held in the military service of the United States in the camps, hospitals, &c., as specified above, for the counties of Adams, Bedford, Franklin, Fulton, and Somerset, were illegal and fraudulent, for the reason the election officers were not sworn; not as many election officers as the law requires. The returns are not signed and certified, &c.; the elections not held within the time required by law; not held in each company; held by men who were not commissioned officers, and by men not assigned to companies or regiments; that the ballots were not returned, as required by law; that said election returns are fraudulent, as will be seen by a recount of the ballots.

Respectfully, yours,

A. H. COFFROTH.

WILLIAM H. KOONTZ, Esq.

No. 3.

In the matter of the contest in the sixteenth (16th) congressional district of Pennsylvania, composed of the counties of Adams, Bedford, Franklin, Fulton, and Somerset, for a seat in the thirty-ninth (39th) Congress of the United States.

It is hereby agreed between A. H. Coffroth, the sitting member, and William H. Koontz, the contestant, that the following persons are appointed commissioners to take the testimony in said counties: Robert G. McCreary, esq., for Adams county; John A. Robinson, esq., for Fulton county; Captain George Eyster, for Franklin county; Hon. Samuel L. Russell, for Bedford county; and Henman L. Baer, esq., for Somerset county.

The said commissioners are hereby empowered to issue subpœnas for witnesses, compel attendance of witnesses by attachment or otherwise, swear the witnesses, and correctly write down their testimony and transmit the same to the clerk of the House of Representatives of the thirty-ninth Congress of the United States.

The sitting member and the contestant expressly waive any legal objections which might arise to the commissioners above named, swearing witnesses or taking the testimony, but reserve the right to object to the legality of the testimony taken or the witnesses sworn.

It is further agreed that testimony may be taken in each of the counties at the same time, except in the counties of Bedford and Fulton, no testimony to be taken in said counties within less than five days between the close of taking it in one of said counties and its commencement in the other.

It is further agreed that notices for taking testimony may be served on William McLean, esq., Gettysburg, for Adams county; J. McDowell Sharpe, esq., Chambersburg, for Franklin county; John P. Reed, esq., Bedford, Bedford county; George A. Smith, esq., McConnellsburg, for Fulton county, and John O. Kimmell, esq., Somerset, for Somerset county, attorneys for sitting member; and that notices for taking testimony may be served on David A. Buehler, esq.,

Gettysburg, for Adams county; John Cessna, esq., Bedford, for Bedford and Fulton counties; McClure and Stewart, Chambersburg, for Franklin county, attorneys for the contestant, and on the contestant, Somerset, for Somerset county.

It is expressly understood that this agreement is not to interfere with the taking of testimony by Hon. Alexander King, at Bedford, on Tuesday, the 27th of March, 1866, and at McConnellsburg, in Fulton county, on Friday, the 5th day of April, A. D. 1866, upon notices already served by William H. Koontz upon A. H. Coffroth; and it is further agreed that should said King not be able to take the testimony upon the days aforesaid, from any cause whatsoever, that the commissioners hereinbefore named for said counties of Bedford and Fulton may proceed to take the same, in place of the said King, without any further or other notices than those already served.

It is further agreed that the times for taking testimony in the diferent counties be so arranged as to give each party an opportunity to take his testimony within the time fixed by resolution of the House in this case.

In testimony whereof, we have hereunto set our hands and seals, this 26th day of March, A. D. 1866.

[SEAL.] WILLIAM H. KOONTZ.
[SEAL.] A. H. COFFROTH.

Attest:
HENRY F SCHELL

No. 4.

In the matter of the contest in the sixteenth (16th) congressional district of the State of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, Franklin, and Adams, for a seat in the thirty-ninth (39th) Congress of the United States.

It is hereby agreed between A. H. Coffroth, the sitting member, and William H. Koontz, the contestant, that the number of votes cast for each of said parties on the second Tuesday of October, A. D. 1864, (11th day,) as shown by the returns made by the boards of return judges of the counties of Somerset, Fulton, and Franklin, of the home and soldier vote of said counties; by the board of return judges of Bedford county of the home vote, and by a majority of the judges of said board of Bedford county of the soldier vote thereof; and by a majority of the judges of the county board of return judges of Adams county, of the home and soldier vote of said county, is as follows:

	Coffroth.	Koontz.
1. Return of Franklin county, signed by all the judges	3,457	3,508
2. Return of Somerset county, signed by all the judges	1,592	2,512
3. Return of Fulton county, signed by all the judges	807	535
4. Return of Bedford county home vote, signed by all the judges	2,410	1,740
5. Return of same, (soldier vote,) signed by a majority of said judges	94	318
6. Return of Adams county home and soldier vote, signed by a majority of said judges	2,707	2,366
Aggregate vote for each	11,067	10,979

It is further agreed that the return signed by W. Findley Mann, F. Diehl, John H. Laker, and Nathan Winter, (see paper No. four, (4,) Report of Committee of Elections, on the *prima facie* right to the seat from said district between

the parties hereto,) exhibits the same number of votes for each of the parties as shown by the foregoing statement, except Bedford county, in which the vote of William H. Koontz is five (5) less than given in the above statement, being 2,053; and further, that said return omits the entire vote of Somerset county.

The papers showing said district return, and returns of county boards and parts of county boards, are Nos. 4, 5, 6, 7, 8, 9, and 11, in report of committee above referred to, and are hereby made a part of this case, for the purpose of showing the number of votes cast for each party, as so returned, and to avoid the trouble of producing copies of said papers before the committee.

It is especially understood and agreed upon, by and between the parties hereto, that the admissions hereinbefore made are not to prejudice the right of either party to make the proofs upon the points raised by them in their respective papers, namely, the notice of contest by the contestant, and answer thereto by the sitting member.

In testimony whereof, we have hereunto set our hands and seals, this 26th day of March, A. D. 1866.

[SEAL.]

W. H. KOONTZ.
A. H. COFFROTH.

Attest:
HENRY F. SCHELL.

No. 5.

WILLIAM H. KOONTZ
vs.
ALEXANDER H. COFFROTH.

In the matter of the contested election case from the sixteenth congressional district of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, Franklin, and Adams, pending before the thirty-ninth Congress of the United States.

MARCH 12, 1866.

SIR: Please to take notice that the depositions of Moses A. Points, esq., and other witnesses, to be read in evidence on the part of William H. Koontz, on the hearing of the above case, before the Committee of Elections of the thirty-ninth Congress, will be taken before the Hon. Alexander King, president, judge of the sixteenth judicial district of the State of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, and Franklin, or some other person duly qualified by the laws of the United States to take testimony in such cases, at the court-house, in the borough of Bedford, in the court-room thereof, on Tuesday, the 27th day of March, A. D. 1866, between the hours of 10 o'clock a. m. and 4 o'clock p. m. of said day, and to continue from day to day until the testimony of said witnesses may be taken; when and where you may attend if you see proper

Respectfully, yours,

W. H. KOONTZ.

Hon. ALEXANDER H. COFFROTH.

Names.

M. A. Points, J. K. Durbmow, Valentine Vondersmith, D. Bollmar, William Brallier, J. H. Akers, J. H. Anderson, Barton A. Cooper, S. C. Mullen, George W. Stucky, Colonel Francis Jordan, William G. Eicholtz, Joseph C. Long, Joseph Fry, Jere Bowles, Daniel Washabaugh, and several others.

DISTRICT OF COLUMBIA,
County of Washington, ss:

Personally appeared before me, the subscriber, a justice of the peace in and for said county, William F. Johnson, of the city and county of Washington, D. C., who, after having been duly sworn according to law, deposeth and said that the within and annexed is a true copy, of which he served one upon Hon. Alexander H. Coffroth, in the city of Washington and county aforesaid, on the 14th day of March, A. D. 1866.

W. F. JOHNSON.

Sworn to and subscribed before me this 14th day of March, A. D. 1866.

[SEAL.]

N. H. MILLER.
Justice of the Peace.

WILLIAM H. KOONTZ
vs.
ALEXANDER H. COFFROTH.

In the matter of the contested election case from the sixteenth congressional district of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, Franklin, and Adams, pending before the thirty-ninth Congress of the United States.

Depositions of witnesses produced in behalf of William H. Koontz, contestant, and sworn and examined by Alexander King, president judge of the sixteenth judicial district of the State of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, and Franklin, at the court-house, in the borough of Bedford, in the court-room thereof, on Tuesday the 27th day, and Wednesday the 28th day of March, A. D. 1866, between the hours of ten o'clock a. m. and 4 o'clock p. m. of said days, during the examination of which witnesses the Hon. John Cessna appeared as counsel for contestant, and John P. Reed, O. E. Shannon, and E. F. Kerr appeared as counsel for General A. H. Coffroth, the sitting member.

Louis Saupp sworn:

I remember that William H. Koontz and Alexander H. Coffroth were candidates for Congress at the general election held at Bedford, in the county of Bedford, Pennsylvania, on the second Tuesday of October, eighteen hundred and sixty-four. Coffroth was a candidate on the democratic ticket and Koontz on the republican ticket. I was occasionally in the Bedford hotel, kept by Joshua Shoemaker, on that day, which was democratic headquarters. Bedford Gazette was the democratic paper published in Bedford, edited by B. F. Myers, at that time. I gave out democratic tickets on that day, but no republican tickets.

LOUIS SAUPP.

Joseph R. Durborrow sworn:

I remember the election for Congress in the fall of 1864, for the sixteenth congressional district. William H. Koontz was the republican candidate and General Alexander H. Coffroth the democratic candidate. The Bedford Gazette, edited by B. F. Myers, was the democratic paper in Bedford county at that time. It was published in Bedford borough. We have a public or county poor-house for Bedford county, situated in Bedford township. George Widle was the steward of the poor-house at the time of the election in 1864. He was an active politician on the democratic side, and took an active part in obtaining the vote of the paupers under his charge as steward of the poor-house. A considerable number of the paupers voted at the election on the second Tuesday of October, 1864.

Question by Mr. Reed, who appears for General A. H. Coffroth:
I don't know that any of the paupers voted for General Koontz.

John Heltzel sworn:

I was a pauper in the public poor-house of Bedford county, in the fall of 1864. I lived in Union township before I went to the poor-house. I went there in June, 1864. I knew William Allen. He was a pauper in the poor-house. I also knew James Shuder, John Winsel, Daniel Sherman, John Moyer, Robert Clarke, Peter Mullen, Andrew Wolford, Enoch Armitage, Patrick Dunn, Samuel Maugh, Jacob Livingston, John Shoemaker, John Miller, William Gorsach, Michael Gallagher, James Thomas, Andrew Amick. They were all paupers in the poor-house at the time of the election in the fall of 1864. I think they all voted. Widle got me to go to Shoemaker's and call for liquor for them. I got liquor for them. Widle gave them receipts for their taxes, and gave them tickets and sent them to the polls to vote. I came up with them and saw most of them vote. They got no liquor before they voted; they were treated afterward. Widle promised at the poor-house to treat all who voted the democratic ticket. I did not call for liquor for them at Shoemaker's until after they had voted. I talked with the paupers in regard to their votes. Daniel Sherman, John Moyer and John Heltzel (the witness) voted the republican ticket and for General Koontz. William Allen, James Sheeder, John Winsel, Robert Clark, Peter Mullen, Enoch Armitage, Andrew Wolford, John Miller, William Gorsach, Michael Gallagher, James Thomas, Andrew Amick, Jacob Livingston, Samuel Maugh, Patrick Dunn and John Shoemaker—

Mr. Reed and others, counsel for General Coffroth, object to evidence of the declarations of these paupers in regard to the ticket they voted.

—told me that they voted the democratic ticket and for General Coffroth. We talked about it both before and after the election. John Miller and James Thomas are since dead.

Questions by Mr. Reed:

Andrew Amick voted the republican ticket when he could, but Widle made him vote for the democratic ticket at that time. Widle gave him the democratic ticket and told him to vote it. He did not vote the democratic ticket all the time for the last three or five years; he has been voting both ways. I know that I said I would vote for the democratic ticket and voted for the republican ticket. I have no other home than the poor-house.

his
JOHN × HELTZEL.
mark.

John Windsel sworn:

I am a pauper and in the Bedford poor-house; have been there two years in September next; I was there while Widle was steward; I came from Germany. I was in Johnstown two years ago; had no home in Bedford township until I went to the poor-house. I voted at the general election in October, in 1864. Mr. Widle gave me the ticket; I voted the democratic ticket. I came to the United States in 1827; I was naturalized in Chambersburg. After we voted we all went to Shoemaker's and were treated to whiskey.

Question by Mr. Shannon, who appears for Mr. Coffroth:

I had no home anywhere; I usually voted the democratic ticket.

his
JOHN × WINDSEL.
mark.

Patrick Dunn sworn:

I have been in the poor-house of Bedford county for five years the 16th of May next. I voted at the general election in 1864; I voted the democratic ticket. Widle was the steward of the poor-house at the time.

his
PATRICK × DUNN.
mark.

Enoch Armitage sworn:

I have been in the Bedford county poor-house over three years; it will be four years next October. I voted at the general election in October, 1864; I got my ticket at Mr. Myers's printing office, a democratic ticket. I came from Hopewell township when I went to the poor-house. William Allen was a pauper in the poor-house in the fall of 1864; had been there some time before. Robert Clark is a pauper and has been in the poor-house for sixteen years and upwards; he came from Schellsburg. Peter Mullen has been in the poor-house for three years and more; he came from Broadtop township. Andrew Wolford is a pauper in the poor-house—was there when I came; he came from Londonderry township. John Shoemaker is a pauper; so is Samuel Maugh—Maugh came from Yellow Creek. Jacob Livingston is a pauper; he came from Hopewell township. William Gorsuch was a pauper; Michael Gallagher was one; he came from Hopewell township. John Thomas was a pauper; came to the poor-house a short time before the election in 1864; died shortly afterwards.

Question by Mr. Shannon:

I came to the poor-house because I had no home in Hopewell. I had been working for Harvey Gates, who lived in Hopewell township. I fell off a wagon, or rather was thrown off and badly injured, and was sent to the poor-house after my money was all gone. I was with Gates twenty-one days before I was injured; had no family. I worked at Woodbury before, and in other places in Huntingdon and Blair counties. I have been in the habit of voting the democratic ticket ever since Jackson's election. I don't know that any of the paupers had a residence anywhere before they came to the poor-house.

Question by Mr. Cessna for General Koontz:

I have voted before I came to the poor-house, but never voted in Bedford township. The paupers told me they had voted before they came to the poor-house.

his
ENOCH × ARMITAGE.
mark.

James Sheeder sworn:

I was a pauper in the poor-house in the fall of 1864. I voted at the general election in October, 1864, and voted the democratic ticket. I got one ticket from Mr. Beeler and the other from Mr. Widle. It was the first time I ever voted the democratic ticket; generally voted the other ticket. Mr. Widle promised me a pair of pants and Beeler promised me a coat if I would vote the democratic ticket. Mr. Widle gave me the pants and Beeler gave me one dollar, but did not give me the coat. I came from Broad Top township to the poor-house. I knew Robert Clark, a pauper; he told me he came from Schellsburg. I also knew John Miller; he told me he came from Altoona. John Heltzell, William Allen, John Windsell, Daniel Shuman, John Moyer, Robert Clark, Peter Mullen, John Miller, William Gasuch, Michael Gallagher, Andrew Amick, James Thomas, Andrew Wolford, Enoch Armitage, Patrick Dunn, Jacob Livingston, Samuel Maugh, and John Shoemaker were all paupers in the Bedford poor-house and voted at the October election, 1864. They told me they voted the democratic ticket, except Heltzel, Moyer, and Sherman, who said they voted the republican ticket. We talked this matter over; they told me, both before and after the election, about voting the democratic ticket.

Questions made by Mr. Shannon:

No efforts were made to get me to vote the republican ticket. I might have told some persons that I had fooled Widle and voted the republican ticket, but I could not swear so. They stood at the polls and watched me till I had voted the democratic ticket. Saupp and Buhr stood at the window. I did tell Mr. Armitage that I had got the democratic ticket from Widle, but that I had fooled him and voted the republican ticket. I was a pauper and needed a pair of pants. I asked for them, and he told me he would not give me any unless I voted the democratic ticket.

JAMES SHEEDER.

John Heltzel recalled:

I know that Mr. Widle gave Sheeder a new pair of pants; Sheeder may have needed a pair; I heard Widle say that he would give Sheeder a pair of pants if he would vote the democratic ticket.

Enoch Armitage recalled:

I know that Sheeder got a pair of pants from George Widle.

John Moyer sworn:

I know Andrew Wolford, who was a pauper, and that he came to the poor-house from Londonderry township; John Heltzel, Wm. Allen, James Sheeder John Windsel, Daniel Sherman, Robert Clark, Peter Mullen, John Miller, Wm. Gorsuch, Michael Gallagher, James Thomas, Andrew Amick, Jacob Livingstou, Samuel Maugh, Patrick Dunn, Enoch Armitage, John Shoemaker were all paupers, as well as myself, in the fall of 1864. I voted at the election in October, 1864, and voted the republican ticket. Widle tried to turn me, and he could not do it.

his
JOHN + MOYER.
mark.

John G. Minnich sworn:

I knew James Thomas before he went to the poor-house; he was not there very long until he died; I knew him in Bedford borough. Also knew Andrew Amick, a pauper, before he went to the poor-house; he resided in Bedford borough for some years before he went to the poor-house, and voted in the borough repeatedly.

JNO. G. MINNICH.

Jno. P. Reed, esq., sworn:

I knew Robert Clarke, now a pauper in the poor-house, for some years before he went there; he resided in Schellsburg borough, and voted in that district; it is a separate election district, and is not in Bedford township. I knew William Allen, also a pauper, before he went to the poor-house; he was a journeyman carpenter, and worked for my father in Harrison township many years ago; from what I learn he came from Cumberland Valley township to the poor-house. I know that Andrew Wolford, another pauper, is from Londonderry township.

JNO. P. REED.

O. E. Shannon, esq., sworn:

I am prothonotary of Bedford county, and was prothonotary in the year 1864; as such I received the military vote for Congress, and filed it in my office for that year. I was present at the meeting of the return judges of elections when that vote was considered, adjusted, and counted by them. This paper now exhibited and marked by me as paper (A) contains the aggregate of the soldiers' vote as counted by a majority of the return judges. The vote for Congress, to-

wit: 34 for Wm. H. Koontz, and 18 for A. H. Coffroth, as stated in the tally-list, in poll-book from company H, of regiment 208 of Pennsylvania volunteers, held at the quarters of Captain Harvey Wishart, in camp, army of the James, Virginia, held by Wm G. Eicholtz, J. C. Long, Robert N. Shima, judges, and Joseph Fry and John H. Witt, clerks, was not received or counted by said return judges, and is not embraced in paper A above referred to. This paper now exhibited and marked by me (B) is a duly certified copy of the poll-book just referred to. The vote for Congress—Wm. H. Koontz 58, and A. H. Coffroth 29—as stated in tally-list in poll-book from barrack No. 1, Soldiers' Rest, Washington city, D. C., held by David Bollman, Wm. Brallier, and John H. Aker, judges, and Barton A. Cooper and Josiah H. Anderson, clerks, was not received nor counted by said return judges, and is not included in paper A above referred to. Exhibit C, now produced and marked by me, purports to be a duly certified copy of the poll-book last referred to. There are some slight differences between this copy and the poll-book returned to my office—sundry errors in given names and orthography. The name of Samuel Smith, of Bedford township, stands No. 10 in the copy, and is not contained in the original. The name of John Warfield, of East Providence, appears in the copy, and does not appear in the original in my office; the copy containing forty-eight names of voters, and the original only forty-six (46.) The name of Aaron Cul in the original is not numbered. On the copy this name is numbered 34. John Wareham, from Monroe township, stands No. 38 on the original, and is not contained in the copy at all. By counting Samuel Smith, John Warfield, not named in the original, and Aaron Cul, not numbered there, the whole number of Bedford county voters would be forty-nine. By adding the name of John Wareham, contained in the original and not in the copy, the number would also be forty-nine. Paper marked D is a correct copy of poll-book returned to me from barracks No. 1. Exhibit E, now produced and marked by me, is a certified copy from the secretary of the commonwealth of Pennsylvania, sent to me, of the poll-book containing the names of electors of Fulton county who voted at barracks No. 1, Soldiers' Rest, Washington city, D. C., before the judges and clerks last named. This book contains the names of thirty-seven electors of Fulton county. Exhibit F is a duly certified copy of the vote of Bedford township for Congress at the general election held on the second Tuesday of October, 1864. The aggregate vote is 344. I have examined the list of voters of said township at said election, and find it contains only 340 names. This list was returned to me by the officers of the election immediately after the election, as I believe.

O. E. SHANNON.

Moses A. Points sworn:

I was one of the clerks of the board of return judges of election for Bedford county at the time the soldiers' vote was received and considered by them. The returns mentioned by Mr. Shannon in his testimony as having been rejected by the board were not received, but were rejected. One was a return from Captain Wishart's company—thirty-four for Koontz and eighteen for Coffroth; and the other was a return of votes from barracks No. 1, Soldiers' Rest—fifty-eight for Koontz and twenty-nine for Coffroth.

M. A. POINTS.

Valentine Vondersmith affirmed:

I was one of the clerks of the board of return judges of elections for Bedford county at the time the soldiers' vote was considered by them, and know that the returns as mentioned by Mr. Shannon and Mr. Points were not received by said return judges and counted, but were rejected.

V. VONDERSMITH.

George Mardorff sworn:

I remember the election at which General Koontz and General Coffroth were candidates for Congress—Koontz on the republican and Coffroth on the democratic ticket. I cannot say certainly that I was in the Gazette office on the day of the election; I generally go there at election times for tickets; it is a place where democratic tickets were to be had; there were other places where they can be obtained.

GEORGE MARDORFF.

Joseph C. Long sworn:

I was in the army in the fall of 1864; I was first sergeant in company H, of the 208th regiment of Pennsylvania volunteers; Harvey Wishart was the captain of the company; that company held an election on the second Tuesday of October, 1864, in camp, in the army of the James, Virginia. I was one of the judges of that election. The election was fairly and honestly conducted. I have to-day examined the returns which we made, in which thirty-four votes were returned for Wm. H. Koontz, and eighteen for A. H. Coffroth. This was an honest and correct return. I was personally acquainted with all the members of the company. Sixty votes were cast at the election; of these, Henry Gelbach, Alexander Reed, William A. Walker, and Alexander Coulter were from Huntingdon county; Jacob Wetters and Barney Barton were from Cambria county; Nicholas Ughn and Samuel Ughn were from Franklin county; and John E. Boerner, Robert N. Shima, John R. Wilt, William Stover, James H. Way, Nicholas Ott, Wm. B. King, Patrick M. Wilson, Harvey Wishart, Jacob Hamman, Andreas Gienger, Ezekiel Gaster, Isaiah Lehman, Joseph Hospengardner, John E. Rummel, and Samuel Birkley—in all, sixteen—were from Fulton county; the remaining thirty-six were citizens of Bedford county. We had two votes from Cambria, two from Franklin, four from Huntingdon, sixteen from Fulton, and thirty-six from Bedford—in all, sixty. All of these sixty voters were members of said company H. In holding the election we administered oaths, required the production of tax receipts, and other satisfactory evidence of a right to vote. The officers of the election were all duly sworn. The members of the company from the several counties named only voted tickets for candidates in said counties. No votes were given for either Koontz or Coffroth by soldiers who did not belong to the district. I believe no person voted except such as were qualified to do so.

JOSEPH C. LONG.

Questions by Mr. Reed:

We made returns to the several counties of the county officers. Not certain as to Congress. I think the polls were opened between the hours of eight and nine o'clock in the morning, and do not think they were kept open later than seven o'clock in the evening. No person voted except the sixty named. I am not certain now whether we had separate boxes for each county at the October election, but I know that we had for the Presidential election. (By Mr. Cessna.) The fifty-two votes for Koontz and Coffroth were on a ticket belonging either to Bedford, Franklin, or Fulton county.

By Mr. Shannon:

The tickets were in slips—each county ticket on one slip.

J. C. LONG.

Joseph Fry sworn:

I was a member of Captain Wishart's company, and was one of the clerks at the election spoken of by Mr. Long. I heard the testimony of Mr. Joseph C. Long, and heard it read. His statements are substantially correct in all particulars. I knew all the members of the company. I have examined the poll-book we returned to Mr. Shannon, the prothonotary, and find it to be correct. The election was fairly and honestly conducted, and the return honestly made.

Question by Mr. Shannon:

I think there was a separate return made to each county, including the vote for Congress. There were some eighty persons in the company; some of them minors; only sixty voted.

JOSEPH FRY.

William G. Eichotlz affirmed:

I was a lieutenant in company H, of the 208th regiment Pennsylvania volunteers, and was one of the judges of the election spoken of by Messrs. Long and Fry, who have just testified. I have their testimony, and the statements they have made are correct to the best of my knowledge. I made the box or rather made the lid. I cannot positively say that there were divisions for each county. I thought some minutes ago that there were, but I cannot remember positively. The election was fairly conducted to the best of my knowledge, and the ballots were correctly counted, and the returns were honestly made. The officers were all properly sworn. I have examined the poll-book. I was personally acquainted with all the persons returned as voters.

Question by Mr. Shannon:

We made returns to each county, but I cannot remember whether we made separate return of the vote for Congress to each county in this district.

WM. G. EICHOLTZ.

The hour of 4 o'clock p. m. having arrived examination adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY MORNING, *March* 28, 1866—10 o'clock.

Examination of witnesses resumed.

John Cessna, esq., appears for contestant, and John P. Reed and E. F Kerr, esqrs., appear for sitting member.

Peter Mallon sworn:

I am an inmate of the Bedford county poor-house, and have been for one year and nine months last past. I came from Fair Play, on Six-mile Run, in Broad Top township, Bedford county. I voted at the general election in October, 1864, and voted the democratic ticket. I got the ticket at the office of the Bedford Gazette. I knew John Miller, a pauper, who died last fall at the poor-house; he came to the poor-house from Morrison's Cove. I knew Jacob Levingston; he came from Hopewell township. Samuel Maugh also came from Hopewell township.

his
PETER + MALLON.
mark.

John Windsell recalled:

I came to the poor-house on the eleventh day of September, 1864. I came to Centre county, and voted in Centre county. Voted in Ohio and Illinois. Have no home.

Patrick Dunn recalled:

I worked at Dunn coalbank, in Broad Top township, before I came to the poor-house. I voted for Buchanan in Columbiana county, Ohio.

Josiah H. Anderson sworn:

I was in the army in October, 1864; entered the army as a substitute, and was regularly mustered into the service on the 30th day of September, 1864. I was one the clerks of the election held at barracks No. 1, Soldiers' Rest, Washington city, D. C.; Barton A. Cooper was the other clerk. David Bollman and William Brallur, of Bedford county, and John H. Akers, of Fulton

county, were the judges of the election. I was mustered into the service at Chambersburg, and went to Carlisle, and all that went with me from Carlisle were ordered to Washington city. We arrived at Washington city on the second Tuesday of October, and went into camp at the Soldiers' Rest. A considerable number of men from Bedford and Fulton counties were with me. An election was opened and held on that day in the barracks at Soldiers' Rest. The Bedford and Fulton county men were designated and ordered to two regiments—the 56th and 107th Pennsylvania volunteers. I knew George Nycum, Mathias Smith, Adam Shuss, Abram Hartzell, Zachariah Clark, George P. Wertz, Ezra P. Kay, Henry Grimes, David Smith, Samuel Smith, James McCreery, S. C. Mullin, Samuel Davis, Jason McDaniel, George W. Stickney, Edwin B. Wright, J. W. Gronden, Adam Leonard, Walter B. Gibson, John Smith, Samuel Straitiff, Aaron Carle, Frederick Claycomb, John S. Gronden, Michael Miller, Jacob Munspraker, G. W. Rinard, J. Speece, D. Bollman, William Brallier, Barton A. Cooper. The persons I have named and myself all belonged to Bedford county, and all voted at the election, as well as others whose names I did not know. I also knew Addison Lee, M. Laman, W. Woodcock, J. F. Connelly, J. C. Stahley, G. S. Newman, J. Lambertson, Samuel Unger, J. H. Leidig, J. Unger, J. Eitemiller, J. W. McClure, David Lynch, J. Richards, S. F. Ott, George Marshall, J. Fox, Thomas Humbeat, D. Fulton, J. R. Fox, James Miller, Riley Coulter, Samuel Baker, George Bishop, Levi Covalt, Daniel Gunnels, George Breckhall, Daniel Smith, William Miller, G. W. F. Woodcock, Vincent Prosser, J. Witter, G. W. Anderson, J. Straight, J. H. Akers. These last-named persons belonged to Fulton county, and all voted, All I have named from Bedford county and Fulton county were soldiers assigned to regiments, and on their way to the front. I went with them, and know that they went to their regiments. The election was fairly and honestly conducted as far as I know. Some votes were rejected on the ground of minority and not being citizens. The officers of the election were all sworn. The ballots were fairly and honestly counted, and tallies properly kept and returned. For Congress Coffroth received twenty-nine (29) votes, and Koontz fifty-eight (58.)

Questions by Mr. Reed:

Colonel Francis Jordan had us drawn up in line, and wanted us to hold the election. He did not belong to us. We were very anxious to vote, and were afraid we could not get to vote. The election was opened in the afternoon, and the polls were closed, I think, before seven o'clock. The men were not assigned to companies. I believe we were assigned to regiments before we left Carlisle, but I did not know it at the time we held the election. Eighty-seven votes were cast at the election for Congress for this district I cannot say that all the persons from Bedford county and Fulton county were qualified voters. I cannot tell who qualified the officers of the election. The tickets were deposited in a hat altogether. The voters asked for tickets to suit them, and Mr. Jordan gave them tickets. He had tickets to suit all parties, and gave out tickets as they wanted them Some had tickets of their own. We made returns to York county, Fulton county, and Bedford county for Congress and for county officers.

Question by Mr. Cessna:

The eighty-seven voters that voted for Koontz and Coffroth resided in the counties of Fulton and Bedford.

Question by Mr. Kerr:

I believe that none of the voters were sworn. A York county man might have voted for the candidates for Congress in this district.

Question by Mr. Cessna:

We were careful to inquire and write down the names of voters, and the county to which they belonged.

Question by Mr. Reed:

Akers, one of the judges, belonged to Fulton county, and the other officers of the election belonged to Bedford county.

JOSIAH H ANDERSON.

Barton A. Cooper sworn:

I was a drafted man, and was mustered into the service of the United States. I was examined and passed at Chambersburg on the 6th of October, 1864. I was one of the clerks of the election at barracks No. 1, Soldiers' Rest. A considerable number of Bedford and Fulton county men were at the barracks. We were on our way to the front. We held an election at barracks No. 1 on the second Tuesday of October. David Bollman, William Brallier, and John H. Akers, were the judges, and Josiah H. Anderson and myself were the clerks. I knew a good many of the voters. I knew Jacob Cushman, William Swartz, Andrew P. Miller, William Brant, Daniel D. Snowberger, Enos Ellis, Andrew J. Davis, G. C. Rowser, John Arnold, Frederick Hilegas, Jeremiah Ward, Frederick Claycomb, John Wareham, Samuel S. Buckhart, J. W. Nycum, of Bedford county, as well as others of the Bedford county men. I knew that David Heffner, of Fulton county, was among the soldiers. As far as I am capable of judging, the election was fairly and honestly held. The officers of the election were all duly affirmed. The ballots were honestly and fairly counted. The tally-papers were honestly kept, and the return correctly made. The names of the Fulton county voters were not included in the list returned to Bedford, but the votes given by them were. No efforts made, as far as I know, to prevent the soldiers from voting their sentiments.

Questions by Mr. Reed:

We had no opportunity of holding an election. The election was opened in the evening—late in the day, near sundown. We closed the election before seven o'clock. I believe the propriety of holding the election was suggested by Colonel Jordan. The men were not assigned to companies. The probability is we were assigned to regiments before we left Carlisle, but did not know that we were until we got to Camp Distribution. We were drawn up into two separate squads at Carlisle, and this is the reason I think we had been assigned to regiments. There were eighty-six or eighty-seven votes cast. As far as I know, they were all qualified voters. Can't say what examination was made. Don't recollect that any one was sworn. I supposed that J. W. Nycum was a qualified voter at the time he voted. We made returns of this election to Bedford and Fulton, and I think of a few votes to York. The election officers were qualified by each other.

Question by Mr. Cessna:

I mean that eighty-six or eighty-seven votes were polled by voters from Bedford and Fulton counties.

BARTON A. COOPER.

David Smith sworn:

I was in the military service of the United States in October, 1864. I went as a substitute for a drafted man. I was examined and sworn on the 1st October, 1864, at Chambersburg, and went to Carlisle, and was examined there again and passed. I left Carlisle, with the other soldiers, on the day before the election, and reached Washington on the day of the election, and voted at the election held at the barrack No. 1, Soldiers' Rest, by Bollman, Brallier, and Akers,

judges, and Cooper and Anderson, clerks. The soldiers at Carlisle were divided into two squads, one of which was sent to the 56th regiment Pennsylvania volunteers, and the other to the 107th regiment. I went to the 56th regiment, and continued in the service until the 31st May, 1865. I knew some of the Bedford county men before I left home, and became acquainted afterwards with the greater part of them and of the Fulton county men. Most of the Fulton county men went with me into the 56th regiment. I have examined the list of voters returned to Bedford county. I have a personal knowledge of all of them, forty-nine in number, except Andrew Poe, Daniel D. Snowberger, J. C. Rowsen, Samuel Straitiff, and Samuel S. Burkhart. I recollect of hearing these names called, but never had a personal acquaintance with them. I have also examined the list of voters from Fulton county, and know all of them except Riley Coulter and David Heffner. I was present and voted at the election held at barracks No. 1. The men from Bedford and Fulton county named on the rolls referred to were there also, and I believe they voted. I saw some of them voting. I was not present all the time. I was anxious to have an opportunity to vote, and heard others express a similar desire. As far as I could see, I saw nothing wrong in the manner of conducting the election, and believe it was honestly held.

Questions by Mr. Reed and Mr. Kerr:

We reached Washington towards evening. As near as I can recollect the election was opened between sundown and dark. I think it was not kept open after seven o'clock. Don't think it was open three hours altogether. I do not remember of any proclamation in regard to the opening or closing of the election. There might have been, but I do not know it. The election was carried on in somewhat of a hurry. Colonel Jordan was present. The men were anxious to have an election. I do not know how the election was organized. I don't know of any that did not vote for Congress; some did not vote for some of the minor officers. I did not know that we were assigned to regiments. My impression was that we were. We were not assigned to companies.

DAVID SMITH.

Matthias Smith, sworn:

I was drafted in the fall of 1864; went to Chambersburg and was examined there, and was then sent to Carlisle; I went with David Smith and the rest of the soldiers to Washington city; we were divided into two squads at Carlisle. I was in the squad that was assigned to the 56th regiment; the other squad was assigned, as we learned, to the 107th regiment. I saw some of the men in the 107th regiment afterwards. I was in the service about ten months. I was at the election held at barracks No. 1, and voted. I was acquainted with a good many of the Bedford and Fulton men that voted at that election. To the best of my knowledge the election was fairly held; saw nothing to the contrary, and heard nobody complain that it was not. I was anxious to have a chance to vote. I secured my ticket before I left Carlisle. I heard others express a desire for an opportunity to vote. Before the election was opened I heard inquiries among the men whether there were any persons there who had held elections before, or understood the manner of conducting an election. Bollman, Brallier and Akers were the judges, and Cooper and Anderson acted as the clerks. It was the soldiers themselves that made the inquiries and suggestions in regard to the officers of the election.

Questions by Mr. Reed:

I heard none of the voters sworn as to their right to vote. I don't know whether they were all qualified voters or not. I know that some of them were. The time for the election was short, and it was hurried through as fast as it could be. I heard it announced that the election was opened and ready to receive votes. I heard it mentioned that the time for closing the election was approaching; and I heard it said that it was seven o'clock, and that the election

was closed. I think the election was open over more than an hour. It might have been three hours, for all I can now remember. I think it was a clear day, but we were in a middling dark building.

MATHIAS SMITH.

Samuel Smith sworn:

I was drafted into the service, and went in along with David and Mathias Smith. I voted at barracks No. 1, Soldiers' Rest. I and other soldiers expressed a desire to have an election held. We, among us, selected the officers of the election, after inquiring who had experience on the subject. The election was fairly and honestly held, as far as I could see. There were two squads called out at Carlisle. We took the cars together at Carlisle and went together to Washington, and from there to the front, where one squad was sent to the 56th, and the other to the 107th regiment Pennsylvania volunteers.

I knew a good number of the Bedford and Fulton county soldiers that voted at the election I have spoken of.

Questions by Mr. Reed:

I don't know whether they were all legal voters or not. We had a good bit of time for the election; it was not very hurried. I saw no voters sworn.

Question by Mr. Cessna:

I don't know of any illegal votes having been received.

SAMUEL SMITH.

John H. Akers sworn:

I have examined the names of voters on poll-book from barracks No. 1, Soldiers' Rest, for Bedford and Fulton counties, and know them all except Enos Ellis and Frederick Claycomb, with whom I had no personal acquaintance, but I know that persons so named were among the soldiers at the barracks. I know all the Fulton county men—thirty-seven in number. I know David Heffner very well. The copies of poll-books referred to by Mr. Shannon, and marked D and C, contain forty-nine names, and I know them all except Ellis and Claycomb. I was one of the judges of the election. The soldiers from Bedford and Fulton counties, named in these poll-books, all voted. The election was fairly held. The ballots were honestly counted, and the return was honestly made. It was made by Mr. Anderson to Bedford and Fulton counties. We asked one another how the election could be held. The soldiers selected the officers themselves. We knew that the most of the voters were qualified. We asked for receipts for taxes, certificates of assessment. We rejected several because they were minors.

Questions by Mr. Reed:

When the men were named as officers of the election their names were called out, and the soldiers said aye, and agreed to them. Only one poll was opened in barracks No. 1. The men were not assigned to companies. We did not know to what regiments we were assigned, but we knew that we had been assigned to some regiments. Bollman received the tickets, and called out the name of the voter regularly as he came to vote.

JOHN H. AKERS.

Enoch Armitage recalled:

I knew John Miller, one of the paupers that voted last fall a year; died some time last fall; he came to the poor-house from Morrison's Cove. Michael Gallagher came from Hopewell township to the poor-house. John Shoemaker came from somewhere near Bloody Run. James Thomas died the next day after the election.

Daniel Shirman sworn:

I knew John Shoemaker, a pauper that voted at the October election in 1864 James Thomas died the next morning after the election, or the next morning after that.

DANIEL SHIRMAN.

John Heltgell:

I knew James Hays; he was a pauper in the poor-house of Bedford county. He came there in the fall, some time before the election, from about Schellsburg somewhere. He voted at the October election in 1864, and voted the democratic ticket; so he told me. I saw Widle give him a ticket; he was a democrat, and would not vote anything but a democratic ticket. I think Michael Gallagher lived in Hopewell before he came to the poor-house. John Shoemaker lived on Black Valley, south of Bloody Run.

Question by Mr. Reed:

I am sure it was at the October election that Hays voted.

his
JOHN X HELTGELL.
mark.

James Sheeder recalled:

I knew James Hays, a pauper; he came from near Schellsburg. He voted at the October election, 1864, and voted the democratic ticket; he told me so himself. I saw James Thomas brought home the next morning after the election; he died about an hour and a half after he was brought home.

JAMES SHEEDER.

John Moyer recalled:

I knew William Gorsuch, one of the paupers. Before he came to the poor-house he lived with John Lafferty in Juniata township. Widle all along wanted me to vote the democratic ticket, but I would not do it. I don't think he treated me well for that season.

John P. Reed recalled:

Black Valley, Clear Ridge, Schellsburg, about Schellsburg, Hopewell, Yellow Creek, Broad Top, near Bloody Run, Morrison's Cove, are all outside of Bedford township. There are twenty-two election districts in Bedford county.

The hour of 4 o'clock having arrived, examination of witnesses adjourned until to-morrow morning at 10 o'clock.

THURSDAY MORNING, *March* 29, 1866.

No witnesses produced.

I do certify that the foregoing depositions were taken before me on the days, between the hours, and at the place mentioned in the caption; that the witnesses were all either duly sworn or affirmed before their statements were received and reduced to writing, and that the exhibits referred to in said depositions, and accompanying the same, were all respectively indorsed by me.

In witness whereof, I hereto have set my hand this 29th day of March, A. D. eighteen hundred and sixty-six.

A. KING,
President Judge of the 16th Judicial District of Penn'a.

No. 6.

[Paper A, referred to in the testimony of O. E. Shannon.]

We, the subscribers, being duly appointed the return judges of the election held in the several districts in the county of Bedford on the 11th day of October, it being the second Tuesday, A. D. 1864, having met together at the court-house of the said county of Bedford, and having carefully examined the returns of the several districts, and added together the votes therein contained, according to law, do certify that, at the said election, the following named persons having the highest number of votes as set opposite their names for the office of Congress: William H. Koontz had three hundred and eighteen (318) soldiers' votes; Alexander Coffroth had ninety-four (94) soldiers' votes.

In testimony whereof, we have hereunto set our hands and seals the 28th day of October, A. D. 1864.

HENRY RALEY.	[SEAL.]
SAMUEL BOLENGER.	[SEAL.]
THOMAS N. YOUNG.	[SEAL.]
THOMAS FISHER, *President.*	[SEAL.]
W. P. MORGART.	[SEAL.]
L. WEIMER.	[SEAL.]
J. R. GEPHART.	[SEAL.]
J. W. ELDER.	[SEAL.]
JOSHUA WHETSTONE.	[SEAL.]
B. R. HENDERSON.	[SEAL.]
SAMUEL LOWRY.	[SEAL.]
his SAMUEL × JAY. mark.	[SEAL.]
U. J. ROCK.	[SEAL.]

Attest:

V. VONDERSMITH,
M. A. POINTS,
Clerks.

STATE OF PENNSYLVANIA, *Bedford County, ss:*

I, O. E. Shannon, prothonotary of said county, hereby certify that the foregoing is a full and true copy of the election return as therein set forth and of record.

Witness my hand and official seal, at Bedford, this the 27th day of March, A. D. 1866.

[SEAL.]

O. E. SHANNON, *Prothonotary.*

No. 7.

[Paper B, referred to in the testimony of O. E. Shannon.]

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Bedford, Fulton, Franklin, Huntingdon and Cambria counties, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company H, 208th regiment of Pennsylvania volunteer infantry, held at the quarters of Captain Harvey Wishart, in camp, army of the James, Virginia; William G. Eicholtz, J. C. Long, and R. N. Shimer being duly elected judges of the said election, and Joseph Fry and J. H. Wilt being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, William G. Eicholtz, J. C. Long, and R. N. Shimer, judges of this election, and Joseph Fry and J. H. Wilt, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

WM. G. EICHOLTZ,
J. C. LONG,
ROBERT N. SHIMER,
Judges.

JOSEPH FRY,
JOHN H. WILT,
Clerks.

I hereby certify that the aforesaid J. C. Long and B. N. Shimer, judges, and Joseph Fry and J. H. Wilt, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

WM. G. EICHOLTZ,
Judge of said Election.

I certify that William G. Eicholtz, judge of election aforesaid, was also duly so sworn according to law by me.

Witness my hand the day above written.

JOSEPH FRY,
Clerk of Election.

We hereby certify that the foregoing electors present, being more than ten, did select the aforesaid quarters of Captain H. Wishart to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

WM. G. EICHOLTZ,
J. C. LONG,
ROBERT N. SHIMER,
Judges of Election.

JOSEPH FRY,
JOHN H. WILT,
Clerks

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Daniel B. Bulger	Bedford county	Middle Woodberry township.
2	Levi Stepey	do	Do.
3	John Hines	do	Do.
4	David S. Johnson	do	Do.
5	David B. Bulger	do	Do.
6	Levi Cramer	do	Do.
7	David F. Keagy	do	Do.
8	George G. Gibson	do	Hopewell township.
9	Joseph Ross	do	Do.
10	John R. Fluck	do	Do.
11	Joseph Gates	do	Do.
12	Simon College	do	Do.
13	Joseph Fry	do	Do.
14	John R. Oaks	do	Liberty township.
15	Joseph C. Long	do	South Woodberry township.
16	William G. Eicholtz	do	Do.
17	John McDonald	do	Do.
18	Adam Conner	do	Monroe township.
19	Alexander Skipper	do	Broad Top township.
20	Job S. Akers	do	Monroe township.
21	Jacob Crawford	do	Southampton township.
22	James A. Shade	do	South Woodberry township.
23	Abraham M. May	do	Monroe township.
24	Wilson L. Sams	do	Do.
25	Job Robison, (on age)	do	Do.
26	Henry Gilbaugh	Huntingdon county	Walker township.
27	Alexander Reed	do	Do.
28	John A. Boerner	Fulton county	Borough of McConnelsburg.
29	Robert M. Shimer	do	Do.
30	John H. Wilt	do	Do.
31	William Staner	do	Do.
32	James H. Woy	do	Wells township.
33	Nicholas Ott	do	Todd township.
34	William B. King	do	Licking Creek township.
35	Patrick M. Wilson	do	Do.
36	Harvey Wishart	do	Wells township.
37	William A. Walker	Huntingdon county	Union township.
38	Samuel Uglow, (on age).	Franklin county	Chambersburg.
39	Jacob Witters	Cambria county	White township.
40	Jacob Hammon	Fulton county	Bethel township.
41	Andrew Gienger	do	Do.
42	William Faulkner	Bedford county	Middle Woodberry township.
43	Ezekiel Gaster	Fulton county	Wells township.
44	John A. Slick	Bedford county	St. Clair township.
45	Samuel Langdon	do	Broad Top township.
46	Isaiah Lahman	Fulton county	Bethel township.
47	Joseph Hoopengardner	do	Do.
48	John E. Bunsel	do	Todd township.
49	Nicholas Uglow	Franklin county	Chambersburg.
50	J. W. Hann	Bedford county	West Providence township.
51	Jesse Peck	do	East Providence township.
52	Joseph L. Daugherty	do	South Woodberry township.
53	Alexan'r Coulter, (on age)	Huntingdon county	Walker township.
54	Barney Basto	Cambria county	White township.
55	Samuel Binkley	Fulton county	McConnelsburg township.
56	Lafayette Burns	Bedford county	Middle Woodberry township.
57	George Keagy	do	Do.
58	William Frederick	do	Do.
59	Jacob College	do	Do.
60	Josiah T. Barkley	do	Do.

It is hereby certified by us that the above list of electors, voting at the said election, is correct, and that the number of electors of Bedford, Fulton, Franklin, Huntingdon, and Cambria counties, State of Pennsylvania, voting at the said election, amounts to sixty. Witness our hands the day and year aforesaid.

WM. G. EICHOLTZ,
J. C. LONG,
ROBERT N. SHIMER,
Judges of the Election.

Attest:
JOHN H. WILT,
JOSEPH FRY,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Bedford, Fulton, Franklin, Huntingdon, and Cambria counties, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had 34 votes; A. H. Coffroth had 18 votes; Robert L. Johnston had 4 votes.

For president judge, Alexander King had 34 votes; F. M. Kimmel had 20 votes.

For senator in the State of Pennsylvania, Henry J. Walters had 3 votes; Robert W. Christy had 3 votes; Louis W. Hall had 1 vote; Kirk Hains had 1 vote.

For representative in the house of representatives of Pennsylvania, David B Armstrong had 32 votes; Moses A. Ross had 32 votes; Hiram Findlay had 18 votes; B. F. Meyers had 18 votes; J. Simpson Africa had 3 votes; John W. Kearns had 3 votes; Alexander McClure had 2 votes; Samuel Roath had 2 votes; John N. Swoope had 1 vote; John Balsbach had 1 vote; Cyrus L. Pershing had 1 vote.

For district attorney, William A. Stephens had 4 votes; J. Nelson Sipes had 5 votes.

For county surveyor, Walter W. Greenland had 3 votes; Henry Wilson had 1 vote.

For commissioner, Hugh B. Davidson had 2 votes; G. W. Leighty had 6 votes; Michael Wertz had 12 votes; Edward Dunnegan had 1 vote.

For director of the poor, John H. Criswell had 2 votes; Hiram Davis had 12 votes; George Orris had 1 vote.

For sheriff, James Myers had 1 vote.

For coroner, Hiram E. Wertz had 2 votes; Jacob Mumma had 6 votes.

For county commissioner, Henry L. Harvey had 4 votes; Abraham H. Hull had 23 votes; Benjamin A. Lyon had 9 votes.

For director of the poor, Andrew Sharer (3 years) had 4 votes; John Enyeart (1 year) had 4 votes; Asa S. Stuckey had 23 votes.

For county treasurer, Alexander Mayne had 8 votes; D. R. Dunlap had 6 votes

For county auditor, B. McClellan Alexander had 3 votes; Emanuel J. Diehl. had 23 votes; John Charlton had 9 votes; Mervin R. Skinner had 2 votes; A. J. Foor had 6 votes; Livingston Robb had 1 vote; David Evans had 12 votes; John A. Kennedy had 1 vote.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

JOSEPH FRY,
JOHN H. WILT,
Clerks.

Return of the election.

At an election held by the electors of the aforementioned counties in company H of the 208th regiment of Pennsylvania soldiers, at camp of the army of the

James, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, fifty-six (56) votes; of which William H. Koontz had thirty-four (34) votes; A. H. Koffroth had eighteen (18) votes; Robert L. Johnston had four (4) votes.

For president judge there were cast fifty-four (54) votes; of which Alexander King had thirty-four (34) votes; F. M. Kimmell had twenty (20) votes.

For senator in the senate of the State of Pennsylvania there were cast four (4) votes; of which Henry J. Walters had three (3) votes; Robert W. Christy had three (3) votes; Louis W. Hall had one (1) vote; Kirk Haines had one (1) vote.

For representatives in the house of representatives of Pennsylvania there were cast fifty-seven (57) votes; of which David B. Armstrong had thirty-two (32) votes; Moses A. Ross had thirty-two (32) votes; Hiram Findley had eighteen (18) votes; B. F. Meyers had eighteen (18) votes.

For district attorney there were cast nine (9) votes: William A. Stepens had four (4) votes; J. Nelson Sipes had five (5) votes.

For county surveyor there were cast four (4) votes: Walter W. Greenland had three (3) votes; Henry Wilson had one (1) vote.

For the office of auditor there were cast fifty-seven (57) votes; of which B. McClellan Alexander had three (3) votes; Emanuel J. Diehl had twenty-three (23) votes; John Charlton had nine (9) votes.

For the office of auditor there were cast —— ——; of which Mervin R. Skinner had two (2) votes; A. J. Foor had six (6) votes; Livingston Robb had one (1) vote; David Evans had twelve (12) votes; John A. Kennedy had one (1) vote.

For the office of coroner there were cast eight (8) votes; of which Hiram E. Wertz had two (2) votes; Jacob Mumma had six (6) votes.

J. Simpson Africa had three (3) votes; John W. Kearns had three (3) votes; Alex. McClure had two (2) votes; Samuel Roath had two (2) votes; John N. Swoope had one (1) vote; John Balsbach had one (1) vote; Cyrus L. Pershing had one (1) vote.

For sheriff there was cast one (1) vote: James Myers had one (1) vote.

For county commissioner there were cast fifty-seven (57) votes: Abraham H Hull had twenty-three (23) votes; Henry L. Harvey had four (4) votes; Benjamin A. Lyon had nine (9) votes; Hugh B. Davidson had two (2) votes; G. W. Leighty had six (6) votes; Michael Wertz had twelve (12) votes; Edward Dunnigan had one (1) vote.

For county treasurer there were cast fourteen (14) votes; Alexander Mayne had eight (8) votes; D. R. Dunlap had six (6) votes.

For director of the poor there were cast forty-two (42) votes: Andrew Sharrer (three years) had four (4) votes; John Engart (one year) had four (4) votes; Asa S. Stuckey had twenty-three (23) votes; John H. Creswell had two (2) votes; Hiram Davis had twelve (12) votes; George Orns had one (1) vote.

A true return of the election, held as aforesaid, on the second Tuesday of October, A. D., one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

First Lieut. WILLIAM G. EICHOLTZ,
Company H, 208th Reg't Pennsylvania Soldiers,
J. C. LONG,
Company H, 208th Reg't Pennsylvania Soldiers,
ROBERT N. SHIMER,
Company H, 208th Reg't Pennsylvania Soldiers,
Judges of said Election.

Attest:
JOSEPH FRY,
JOHN H. WILT,
Clerks.

BEDFORD COUNTY, *ss:*

I, O. E. Shannon, prothonotary of said county, certify that the foregoing is a full and true copy of a poll-book (except blank form in print) received into this office.

[SEAL.] Witness my hand and official seal, at Bedford, January 27, 1865.

O. E. SHANNON, *Prothonotary.*

No. 8.

[Paper C, referred to in the evidence of O. E. Shannon, esq.]

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Bedford county, State of Pennsylvania, being in actual military service, under the requisition of the President of the United States, in company —, of the ——— regiment of Pennsylvania, held at barracks No. 1, Soldiers' Rest, Washington city, D. C.; David Bollman, William Brallier, and John H. Akers being duly elected judges of the said election, and Barton A. Cooper and Josiah H. Anderson being duly appointed clerks of said election, being all severally affirmed according to the certificates herewith returned.

Oaths of the judges and clerks.

We, David Bollman, William Brallier, and John H. Akers, judges of this election, and Barton A. Cooper and Josiah H. Anderson, clerks thereof, do each severally affirm that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

DAVID BOLLMAN,
WILLIAM BRALLIER,
JOHN H. AKERS,
Judges.
BARTON A. COOPER,
JOSIAH H. ANDERSON,
Clerks.

I hereby certify that the aforesaid David Bollman, William Brallier, and John H. Akers, judges, and Josiah H. Anderson and —— ———, clerks, were, before proceeding to take any votes at said election, first duly affirmed as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

BARTON A. COOPER,
Clerk of said Election.

I certify that Barton A. Cooper, clerk of election aforesaid, was also duly so affirmed according to law by me.

Witness my hand the date above written.

DAVID BOLLMAN,
Judge of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid barracks No. 1, Soldiers' Rest, Washington, D. C., to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

DAVID BOLLMAN,
WILLIAM BRALLIER,
JOHN H. AKERS,
Judges of said Election.

Attest:
BARTON A. COOPER,
JOSIAH H. ANDERSON, *Clerks.*

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	George Nicham	Bedford county	St. Clair.
2	Mathias Smith	do	Bedford.
3	Adam Shush	do	East Providence.
4	A. Hartsley	do	Bedford.
5	Zac. Clark	do	Snake Spring.
6	A. Pate	do	Middle Woodberry.
7	Jac. Cashman	do	Do.
8	George F. Wartz	do	Cumberland.
9	E. Kay	do	Hopewell.
10	Sam Smith	do	Bedford.
11	E. Grimes	do	Do.
12	D. Smith	do	Do.
13	William Swartz	do	South Woodberry.
14	Amos McCrary	do	Bedford.
15	S. C. Mullen	do	Do
16	A. P. Miller	do	Harrison.
17	Sam Davis	do	Hopewell.
18	William Brant	do	Harrison.
19	J. McDonnell	do	Monroe.
20	G. W. Starkey	do	Colerain.
21	D. D. Snowbarge	do	Middle Woodberry.
22	E. V. Right	do	Napier.
23	Enos Ellis	do	Do.
24	J. W. Growden	do	Cumberland Valley.
25	A. J. Davis	do	Colerain.
26	G. C. Rouser	do	Napier.
27	A. Lenhard	do	Snake Spring.
28	W. B. Gilson	do	Bedford.
29	John Armal	do	Juniata.
30	J. Smith	do	Do.
31	F. Hilligas	do	Monroe.
32	J. Ward	do	Do.
33	Samuel Straightf	do	Do.
34	Aaron Core	do	St. Clair.
35	Fred. Clayborn	do	Union.
36	J. S. Ginodon	do	Cumberland.
37	W. J. Brant	do	Do.
38	M. Miller	do	Southampton.
39	J. Manspeaker	do	East Providence.
40	John Wanfield	do	Do.
41	Samuel F. Burkart	do	Harrison.
42	George W. Rinard	Fulton county	Hopewell.
43	Jacob Speese	do	Do.
44	David Bollman	do	Do.
45	William Brallier	do	Do.
46	J. H. Anderson	do	Broad Top.
47	J. W. Nycum	do	Monroe.
48	B. A. Cooper	do	Do.

It is hereby certified by us that the above list of electors, voting at the said election, is correct, and that the number of electors of Bedford county, State of Pennsylvania, voting at the said election, amounts to forty-eight.

Witness our hands the day and year aforesaid.

D. BOLLMAN,
WM. BRALLIER,
J. H. AKERS,
Judges of the Election.

Attest:
J. H. ANDERSON,
B. A. COOPER,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election, by the qualified voters of Bedford county, State of Pennsylvania.

For representative in the House of Representatives of the United States, (eastern district,) for Congress, William H. Koontz had fifty-eight votes; A. H. Coffroth had twenty-nine votes.

For representatives in the house of representatives of Pennsylvania, D. B. Armstrong had nineteen votes; Moses A. Ross had nineteen votes; Hiram Findlay had twenty-seven votes; B. F. Meyers had twenty-seven votes.

For commissioner, G. W. Leighty had —— votes; A. H. Hull had nine votes; Michael Wortz had ten votes.

For director of the poor, Asa S. Stooky had nine votes; Hiram Davis had ten votes.

For auditor, E. J. Diehl had nine votes; David Evans had ten votes.

For district attorney, J. N. Sipes had —— votes.

For treasurer, D. R. Dunlop had —— votes.

For auditor, A. King had nineteen votes; T. M. Kimel had twenty-four votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

Witness our hands the day and year aforesaid.

J. H. ANDERSON.
B. A. COOPER.

A true return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four. Certified by us the day and year aforesaid.

D. BOLLMAN,
W. BRALLIER,
J. H. AKERS,
Judges of the said Election.

Attest:
J. H. ANDERSON,
B. A. COOPER,
Clerks.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of said election return, so far as the same relates to the county of Bedford.

In witness whereof, I have hereunto set my hand and caused the seal of said office to be affixed this twenty-sixth day of October, A. D. one thousand eight hundred and sixty-four.

[SEAL.]

W. H. ARMSTRONG,
Deputy Secretary of the Commonwealth.

[Paper D, referred to in the evidence of O. E. Shannon, esq.]

Poll-book of the election held on Tuesday, the 11th day of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Bedford county, in the State of Pennsylvania, in the actual military service under the requisition of the President of the United States, and being unable to attend any company poll or other proper place of election, this election being held at barracks No. 1, Soldiers' Rest, Washington city, D. C., which place the said electors, being present, have selected for opening a poll for the said election, and certify therein, David Bollman, William Brallier and John H. Akers being then and there duly elected judges of the said election, and Barton A. Cooper and Josiah H. Anderson being duly appointed clerks of said election, and being all severally affirmed according to the certificates herewith returned.

Oaths of the judges and clerks.

We, David Bollman, William Brallier, and John H. Akers, judges of this election, and Barton A. Cooper and Josiah H. Anderson, clerks thereof, do each severally affirm that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the said election.

DAVID BOLLMAN,
WILLIAM BRALLIER,
JOHN H. AKERS,
Judges.
BARTON A. COOPER,
JOSIAH H. ANDERSON,
Clerks.

I hereby certify that David Bollman, William Brallier and John H. Akers, judges, and Josiah H. Anderson, clerk aforesaid, were, before proceeding to take any votes at said election, first duly affirmed as aforesaid by me. Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

BARTON A. COOPER,
Clerk of said Election.

I certify that Barton A. Cooper, clerk of election aforesaid, was also duly so affirmed according to law by me. Witness my hand the date above written.

DAVID BOLLMAN,
Judge of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid barrack No. 1, Soldiers' Rest, Washington, D. C., to be the place of opening a poll for the said election. Witness our hands the day and year aforesaid.

DAVID BOLLMAN,
WILLIAM BRALLIER,
JOHN H. AKERS,
Judges of said Election.

Attest:
BARTON A. COOPER,
JOSIAH H. ANDERSON,
Clerks.

Number and names of the voters voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward or precinct.
1	George Nycum	Bedford	Monroe township.
2	Mathias Smith	do	Bradford township.
3	Adam Shuss	do	East Providence.
4	Abraham Hartzel	do	Bedford.
5	Zachariah Clark	do	Snake Spring.
6	Andrew Poe	do	Middle Woodberry.
7	Jacob Cashman	do	Middle Woodberry.
8	George P. Wertz	do	Hopewell.
9	Ezra P. Kay	do	Hopewell.
10	Henry Grimes	do	Bedford.
11	David Smith	do	Bedford.
12	William Swartz	do	South Woodberry.
13	James McCreary	do	Bedford.
14	S. C. Mullin	do	Bedford.
15	Andrew P. Miller	do	Harrison.
16	Samuel Davis	do	Hopewell.
17	William Brandt	do	Harrison.
18	Jason McDaniel	do	Monroe.
19	G. W. Stuckey	do	Colerain.
20	Daniel D. Snowberger	do	Middle Woodberry.
21	Edwin B. Wright	do	Napier.
22	Ennos Ellis	do	Napier.
23	J. W. Growden	do	Cumberland Valley.
24	And. J Davis	do	Colerain.
25	G. C. Rouser	do	Napier.
26	Andrew Leonard	do	Snake Spring.
27	Walter B. Gillson	do	Bedford.
28	John Armet	do	Juniata.
29	John Smith	do	Juniata.
30	Frederic Hillegas	do	Bedford.
31	Jeremiah Ward	do	Monroe.
32	Samuel Straitif	do	Monroe.
	Aaron Corle	do	St. Clair.
33	Frederick Claycomb	do	Union.
34	John S. Grouden	do	Cumberland Valley.
35	Wm. J. Brandt	do	Cumberland Valley.
36	Michael Miller	do	Southampton.
37	Jacob Manspeaker	do	East Providence.
38	John Wareham	do	Monroe.
39	Samuel S. Burket	do	Harrison.
40	G. W. Renard	do	Hopewell.
41	J. Speice	do	Hopewell.
42	D. Bollman	do	Hopewell.
43	William Brallier	do	Hopewell.
44	J. H. Anderson	do	Broad Top.
45	J. W. Nycum	do	Monroe.
46	B. A. Cooper	do	Monroe.

It is hereby certified by us that the above list of electors voting at said election is correct, and that the number of electors of ——— county, State of Pennsylvania, voting at the said election, amounts to 46. Witness our hands the day and year aforesaid.

D. BOLLMAN,
WM. BRALLIER,
JOHN H. AKERS,
Judges of the Election.

Attest:
J. H. ANDERSON,
B. A. COOPER,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified electors of Bedford county, State of Pennsylvania.

For representative in the House of Representatives in the Congress of the United States, 16th district. For Congress, William H. Koontz had 58 votes; A. H. Coffroth had 29 votes.

For representatives in the house of representatives of Pennsylvania, D. B. Armstrong had 19 votes; Moses A. Ross had 19 votes; B. F. Meyers had 27 votes; Hiram Findlay had 27 votes.

For commissioner, Abraham H. Hull had 9 votes; G. W. Leighty had 10 votes; Michael Wertz had 10 votes.

For director of the poor, Asa S. Stuckey had 9 votes; Hiram Davis had 10 votes.

For district attorney, J. Nelson Sipes.

For auditor, Emanuel J. Diehl had 9 votes; David Evans had 10 votes.

For president judge, A. King had 19 votes; F. M. Kimmel had 24 votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

J. H. ANDERSON,
B. A. COOPER,
Clerks.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

D. BOLLMAN,
WM. BRALLIER,
J. H. AKERS,
Judges of the Election.

Attest:
J. H. ANDERSON,
B. A. COOPER,
Clerks.

BEDFORD COUNTY, *ss:*

I, O. E. Shannon, prothonotary of said county, hereby certify that the foregoing is a full and true copy of a paper purporting to be a poll-book of an election held at barrack No. 1, Soldiers' Rest, Washington, D. C., and returned to this office.

Witness my hand and official seal, at Bedford, this 27th day of March, A. D. 1866.

[SEAL.]

O. E. SHANNON, *Prothonotary.*

No. 10.

[Paper E, referred to in the evidence of O. E. Shannon, esq.]

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Fulton county, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company ——, of the —— regiment of Pennsylvania ———, held at barracks No. 1, Soldiers' Rest, Washington, D. C.; David Bollman, William Brallier, and John Akers being duly elected judges of the said election, and Barton A. Cooper and Josiah H. Anderson being duly appointed clerks of said election, being all severally affirmed according to the certificates herewith returned.

Oaths of the judges and clerks.

We, David Bollman, William Brallier, and John H. Akers, judges of this election, and Barton A. Cooper and Josiah H. Anderson, clerks thereof, do each severally affirm that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

DAVID BOLLMAN,
WILLIAM BRALLIER,
JOHN H. AKERS,
Judges.
JOSIAH H. ANDERSON,
BARTON A. COOPER,
Clerks.

I hereby certify that the aforesaid David Bollman, William Brallier, and John H. Akers, judges, and Josiah H. Anderson and ——— ———, clerks, were, before proceeding to take any votes at said election, first duly affirmed as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

BARTON A. COOPER,
Clerk of said Election.

I certify that Barton A. Cooper, judge of election aforesaid, was also duly so affirmed according to law by me.

Witness my hand the date above written.

DAVID BOLLMAN,
Judge of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid ——— ——— to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

DAVID BOLLMAN,
WILLIAM BRALLIER,
JOHN H. AKERS,
Judges of said Election.

Attest:
BARTON A. COOPER,
JOSIAH H. ANDERSON,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough ward or precinct.
1	A. Lee	Fulton county	Taylor.
2	M. Laman	do	Ayr.
3	W. Woodcock	do	Wells.
4	J. T. Conley	do	Todd.
5	J. C. Staley	do	Ayr.
6	G. S. Newman	do	Taylor.
7	J. A. Lamberton	do	Do.
8	Saul Unger	do	Ayr.
9	J. H. Lerdig	do	Taylor.
10	J. Unger	do	Ayr.
11	J. Etrewiller	do	McConnellsburg borough
12	J. W. McClure	do	Do. Do
13	David Lynch	do	Bellefast.
14	J. Richards	do	Ayr.
15	G. F. Orr	do	Do.
16	George Marshal	do	Dublin.
17	J. Fox	do	Ayr.
18	Tho. Humbert	do	Do.
19	D. Fulton	do	Do.
20	J. R. Fox	do	Do.
21	A. Glenn	do	Do.
22	James Miller	do	Do.
23	Willy Colter	do	Lebanon.
24	Samuel Baker	do	Dublin.
25	George Bishop	do	Bethell.
26	Levi Covalt	do	Thomas.
27	Dan Gurmello	do	Do.
28	George Breckhall	do	Do.
29	Dan Smith	do	Bethell.
30	William Miller	do	Taylor.
31	David Heifner	do	Do.
32	G. W. F. Woodcock	do	Do.
33	Urison Prosser	do	McConnellsburg borough
34	J. Hittel	do	Taylor.
35	G. H. Anderson	do	Do.
36	J. Straight	do	Licking Creek.
37	J. H. Akers	do	Brush Creek.

It is hereby certified by us that the above list of electors, voting at the said election, is correct, and that the number of electors of ——— county, State of Pennsylvania, voting at the said election, amounts to thirty-seven.

Witness our hands the day and year aforesaid.

D. BOLLMAN,
WM. BRALLIER,
J. H. AKERS,
Judges of the Election.

Attest:
J. H. ANDERSON,
B. A. COOPER,
Clerks of the Election.

Tally-paper or list of votes for each person voted for, at the said election, by the qualified voters of ——— county, State of Pennsylvania.

For commissioners, D. A. Lyon had ten votes; G. W. Leighty had sixteen votes.

For treasurer, Alex. Maine had ten votes; D. R. Dunlap had seventeen votes.

For auditor, John Charlton had ten votes; A. J. Fore had sixteen votes.

For district attorney, J. N. Sypes had seventeen votes.

For coroner, Jacob Muma had sixteen votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

J. H. ANDERSON,
B. A. COOPER,
Clerks.

Return of the election.

At an election held by the electors of ——— county, in company ——, of the —— regiment of Pennsylvania soldiers, at ———, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast— For representative in the House of Representatives in the Congress of the United States, —— votes; of which ——— had —— votes.

A true return of the election, held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

D. BOLLMAN,
WM. BRALLIER,
J. H. AKERS,
Judges of the said Election.

Attest:
J. H. ANDERSON,
B. A. COOPER,
Clerks.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of said election return, so far as the same relates to the county of Fulton.

In witness whereof, I have hereunto set my hand, and caused the seal [SEAL] of said office to be affixed, this twenty-sixth day of October, A. D. one thousand eight hundred and sixty-four

W. W. ARMSTRONG,
Deputy Secretary of the Commonwealth.

[Paper F, No. 11 referred to in the evidence of O. E. Shannon, esq.]

General election returns.

We, the subscribers, duly elected inspectors and judge of the general election, held at the court-house, in the borough of Bedford, on the Tuesday, eleventh instant, being the 2d Tuesday, A. D. 1864, for the election district, composed of the township of Bedford, in and for the county of Bedford, do report that upon closing the polls, and counting the votes according to law, it appeared that—

For Congress, A. H. Coffroth had two hundred and twenty-seven (227) votes; William H. Koontz had one hundred and seventeen (117) votes.

In witness whereof, we have hereunto set our hands and seals the eleventh day of October, A. D. 1864.

J. T. GEPHART, *Judge.* [SEAL.]
ISAAC D. EARNEST, [SEAL.]
THOMAS IMLER, [SEAL.]
Inspectors.

Attest:
J. E. REIGHART, [SEAL.]
JAMES REA, Jr., [SEAL.]
Clerks.

BEDFORD COUNTY, *ss:*

I, O. E. Shannon, prothonotary in and for said county, hereby certify that the foregoing is a full and true copy of the vote for Congress as returned to this office for Bedford township.

In witness whereof, I have hereunto set my hand and affixed my official seal this 27th March, 1866.

O. E. SHANNON, *Prothonotary.*

No. 12.

WILLIAM H. KOONTZ
vs.
ALEXANDER H. COFFROTH.

In the matter of the contested election case from the sixteenth congressional district of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, Franklin, and Adams, pending before the thirty-ninth Congress of the United States.

MARCH 12, 1866.

SIR: Please to take notice, that the depositions of Dr. S. E. Duffield and other witnesses, to be read in evidence on the part of William H. Koontz, in the hearing of the above case before the Committee of Elections of the thirty-ninth Congress, will be taken before the honorable Alexander King, president judge of the sixteenth judicial district of the State of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, and Franklin, or some other person duly qualified by the laws of the United States to take testimony in such cases, at the court-house in the borough of McConnellsburg, in the county of Fulton, in the court-room thereof, on Friday, the 6th day of April, A. D. 1866, between the hours of 10 o'clock a. m. and 10 o'clock p. m. of said day, and to continue from day to day, until the testimony of said witnesses may be taken, when and where you may attend if you see proper.

Respectfully yours,

WM. H. KOONTZ.

HON. ALEXANDER H. COFFROTH.

DISTRICT OF COLUMBIA, *County of Washington, ss:*

Names of witnesses.

Dr. S. E. Duffield, Lewis Bergstiener, John A. Robinson, David Bollman, William Brallier, John H. Akers, Josiah H. Anderson, Barton A. Cooper, A. Lee, M. Laman, W. Woodcock, J. T. Conley, J. Etemiller, David Lynch,

George Marshall, J. R. Fox, George Bishop, Dan Grinnells, William G. Eicholtz, J. C. Long, Robert N. Shimer, John H. Wilt, John A. Boerner, William Stanen, and several others.

Personally appeared before me, the subscriber, a justice of the peace in and for said county, William F. Johnson, of the city of Washington, D. C., who, after having been duly sworn according to law, deposeth and said that the within annexed is a true copy of which he served one upon honorable Alexander H. Coffroth in the city of Washington and county aforesaid, on the 14th day of March, A. D. 1866.

WILLIAM F. JOHNSON.

Sworn to and subscribed before me this 14th day of March, A. D. 1866.
[SEAL.] W. H. MILLER,
Justice of the Peace.

WILLIAM H. KOONTZ
vs.
ALEXANDER H. COFFROTH.

In the matter of the contested election case from the sixteenth congressional district of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, Franklin, and Adams, pending before the thirty-ninth Congress of the United States.

Depositions of witnesses produced on behalf of William H. Koontz, contestant, and sworn and examined by Alexander King, president judge of the sixteenth judicial district of the State of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, and Franklin, at the court-house in the borough of McConnellsburg, in the court-room thereof, on Friday the sixth day of April, A. D. 1866, between the hours of 10 o'clock a. m. and 9 o'clock p. m. of said day, the time for taking said depositions having been extended by the counsel for the parties. Hon. John Cessna appeared as counsel for contestant and George A. Smith, esq., appeared as counsel for Hon. A. H. Coffroth, the sitting member.

John A. Robinson sworn:

I was prothonotary of Fulton county during the year 1864, and have been ever since; I received the returns of the soldiers' votes for that county; I received and filed the returns made by the return judges of the county of Fulton. This paper now produced and exhibited, and marked by me as G, is a true copy of the home and soldiers' vote of Fulton county for the October election, 1864, as accepted and computed by said return judges. There were only twenty-two (22) soldiers' votes for William H. Koontz, and four soldiers' votes for A. H. Coffroth. Two other returns of soldiers' votes received by me were laid before these return judges, which they rejected and refused to compute. This paper now produced and exhibited, and marked by me as H, is a true statement and table of all the returns of soldiers' votes received and computed by the return judges aforesaid. One of the returns rejected by the return judges was the return of an election of company G, 205th regiment Pennsylvania volunteers, held at camp Old Court House, near City Point, Virginia. This return was signed by J. M. Stauber, judge, and John S. Harencane and James G. Kendall, clerks, and gave to Koontz eight votes, and Coffroth two votes. This paper now produced and exhibited, and marked by me as I, is a true copy of this last-mentioned return. The other return of soldiers' votes, rejected and not counted by the return judges, was the return of an election held by company H, 208th regiment Pennsylvania volunteers, at Captain Harvey Wishart's quarters, in camp, army of the James, Virginia. This return gave

to Koontz nine votes, and to Coffroth six votes, and is signed by William G. Eicholtz, Robert N. Shimer, and J. C. Long, judges, and Joseph Fry and John H. Wilt, clerks. Paper marked K, now produced and exhibited, is a true copy of this return. There was considerable argument and contention before the board of return judges in relation to these returns, and they were finally rejected.

JNO. A. ROBINSON.

M. Edgar King sworn:

I was before the board of return judges of Fulton county at the time the returns of the soldiers' votes for said county at the October election, 1864, were considered by them. There was considerable argument and contention in regard to these returns. The returns I refer to are the same that Mr. Robinson has spoken of, and copies of which are given in papers marked I and K; paper I being return from company G, 205th regiment Pennsylvania volunteers, and paper K being from company H, 208th regiment Pennsylvania volunteers. Both of these returns were finally rejected by the return judges.

M. EDGAR KING.

John F. Kendall sworn:

I was in the military service of the United States in the fall of 1864; I was a corporal in company G of the 205th regiment of Pennsylvania volunteers. An election was held by the company at Old Court House, in the county of ———, in the State of Virginia. John Stauber, James Smith, and Sergeant George W. Clymans were the judges of the election, and James D. Kendall and John Harencane were the clerks. I was a citizen of Ayr township, Fulton county, Pennsylvania, when I entered the service, and could have voted on that day if I had been at home. I voted for William H. Koontz, for Congress, at that election, and was a qualified voter, having been assessed and paid taxes. The election was fairly conducted, to the best of my knowledge. Besides myself, James G. Kendall, David Stevens, Benjamin Pittman, John W. Aultz, George W. Clymans, Matthias N. Sterrett, James Shimer, Edward Ferrenburg voted at that election. I think Porter B. Baker also voted. They were all citizens of Fulton county, and qualified voters, to the best of my knowledge.

Question by George A. Smith, esq.:

I am personally acquainted with most of these men. Know Pittman; don't know his age, exactly; think he is twenty-two; he was sworn before the board; I can't swear positively that he was over twenty-one; I believe he voted on age; I did not see him vote. I don't know, from my own knowledge, that they were all qualified voters.

JOHN F. KENDALL.

George W. Clymans sworn:

I was in the military service of the United States in the fall of 1864; was first sergeant of company G, of the 205th regiment Pennsylvania volunteers. We held an election for that company on the second Tuesday of October, 1864, at Old Court House, within two miles of City Point, Virginia. I was one of the judges; John M. Stauber and James Smith were the other judges. James G. Kendall and John N. Harencane were the clerks. The officers of the election were duly sworn. The election was fairly conducted. The persons offering to vote were examined on oath as to their right to vote. We had a separate box for each county. I was a qualified voter; was a citizen of Dublin township, Fulton county; had been assessed and paid the soldier's tax of ten cents. I voted for William H. Koontz, for Congress. James Kendall, John Kendall, Matthias M. Sterrett, Edward Ferrenburg, David Stevens, Benjamin Pittman, John W. Aultz, James Shimer, also voted. I don't think that Porter

Baker voted, but can't say, certainly, that he did not. It was a mere accident and a mere oversight that we did not sign the return. James Smith and myself had been on picket the night before, and we went to bed and left Stauber, the other judge, to make out the return. The ballots were fairly and honestly counted.

Questions by Mr. Smith:

I am now nearly twenty-five years of age. Mr. Kendall, one of the clerks, was sick part of the time, and I performed his duty for him. I do not think Kendall was present when the returns were made out—not positive. The judges were sworn by the uplifted hand. We swore each other. I helped to make out the returns, and being unwell, I left Mr. Stauber to finish them. I next saw Mr. Stauber about twelve o'clock that night. I sealed up the papers on the next day myself—the returns for Fulton, Huntingdon, York, and Franklin counties. I thought they were all right, and I sealed them up. I must say that I knew what was in the papers given me by Stauber, but I suppose they were right. I believe they were the correct returns. I saw a part of them. I remember seeing the tally-list, but don't think this is it. The votes had all been counted out, and I made out the returns for Fulton, York, Huntingdon, and Franklin counties. I signed part of them, but don't remember signing the Fulton return. I remember signing these books. They may have been for the other counties. Stauber signed all of them, I think. I took some of the returns out of the papers, and examined them before I sealed them up.

(Mr. Smith exhibits return of elections and tally-paper forwarded to the county of Fulton to the witness. Mr. Cessna objects to the examination of these papers, because the questions proposed to be asked are not in relation to the evidence in chief, and because the papers cannot be attached to the deposition and returned with the evidence. Mr. Smith does not insist on the questions.)

G. W. CLYMANS.

Edward Ferrenburg sworn:

I was a member of company G, 205th regiment Pennsylvania volunteers, and was at the election at Old Court House, near City Point, Virginia. I voted at that election. I voted for William H. Koontz for Congress. Am a citizen of Ayr township, Fulton county, and was at that time. I left that township when I went into the service. I was regularly assessed and paid soldier's tax, and was duly qualified to vote. I am twenty-four years of age 20th of September next. I saw most of the tickets of the voters. I think John W. Aultz voted for Mr. Koontz. I think Porter Baker also voted, but cannot say for whom.

Questions by Mr. Smith:

Election was held in the captain's tent. Was opened at 8 o'clock a. m., and closed at 7 o'clock p. m.

EDWARD FERRENBURG.

James Shimer sworn:

I was a member of company G, 205th regiment Pennsylvania volunteers. I was at the election held by the company at Old Court House, near City Point, and voted. I had been assessed and paid the soldier's tax, and had a right to vote. I voted for Mr. Koontz for Congress. David Stevens showed me his ticket, and it was the republican ticket. He voted for Koontz. As far as I know, the election was fairly and honestly conducted. I am, and was at that time, a citizen of McConnellsburg.

JAMES SHIMER.

James G. Kendall affirmed:

I was a member of company G, 205th regiment Pennsylvania volunteers. I went from Fulton county, and was and am a citizen of that county. I was one of the clerks of the election held at Old Court House, near City Point. The officers were all duly sworn—three judges and two clerks. The election was fairly conducted; all the persons offering to vote were examined on oath as to their right to vote. I had been assessed, paid taxes, and was a qualified voter. I voted at that election for William H. Koontz. Ten votes were given by citizens of Fulton county at that election. I knew that David Stevens, John F. Kendall, George W. Clymans, Benjamin F. Pittman, James Shimer, and Edward Ferrenburg voted for Koontz. Don't know positively how, but John W. Aultz and Porter Baker voted. There were but two votes for Coffroth.

Question by Mr. Smith:

Mr. Coffroth had two votes at that election; we opened the election some time in the morning, and closed at seven o'clock in the evening; I was away from the board a part of the time; was unwell; absent perhaps half of the time; can't say positively I was there when the ballots were counted; I signed the returns; we had separate boxes for each county; I could not say positively I signed the return for Fulton county; I signed all that it was necessary to sign.

JOS. G. KENDALL.

M. N. Sterrett sworn:

I was a member of company G, 205th regiment Pennsylvania volunteers; I was at the election at Old Court House, near City Point; I went into the service for Fulton county; I was between the age of twenty-one and twenty-two, and voted on age; I was examined on oath as to my right to vote; I think Porter Baker voted; I voted for Mr. Coffroth; I think Porter Baker voted for Coffroth, but cannot say certainly. The election closed about 7 o'clock p. m.

M. N. STERRETT.

Jno. C. Fletcher sworn:

I know Jno. W. Aultz; he was a member of company G, 205th regiment Pennsylvania volunteers; before he went into the service he resided in McConnellsburg, Fulton county; he was a republican in politics; he does not reside in the county of Fulton at this time; he went to Jeromeville, Ashland county, Ohio, after he was discharged from the service, and resides there now. I also know David Stevens, who was a member of the same company G; I served a subpœna on him to attend here to-day to testify in this case; he lives ten miles from McConnellsburg; he told me he voted for General Koontz for Congress at the election held by the company to which he belonged. I paid Mr. Aultz's tax, and sent him the certificate of his assessment and receipt for tax.

JOHN C. FLETCHER.

David Hoke sworn:

I am acquainted with John W. Aultz, and have known him since he was a boy; he lived in McConnellsburg, Fulton county, and enlisted into the service of the United States, and was attached to company G, 205th regiment Pennsylvania volunteers; since he was discharged he came home, and then moved to Jeromeville, Ohio, where he now resides; he belonged to the republican party, and always voted with it; was decided in his political sentiments.

DAVID HOKE.

Benjamin F. Pittman sworn:

I was a member of company G, 205th regiment Pennsylvania volunteers. I was at the election held by the company on the second Tuesday of October,

1864, at Old Court House, near City Point, Virginia. I voted at that election for Mr. Koontz for Congress. I went into the service from Thompson's township, Fulton county, and after my discharge returned there. I never had any other home. I was between the ages of twenty-one and twenty-two, and voted on age. To the best of my knowledge the election was fairly conducted; the officers were duly sworn; all the voters were examined on oath as to their right to vote. David Stevens, the two Kendalls, Ferrenburg, Shimer, Clymans, voted for Mr. Koontz. I am pretty sure that Jno. W. Aultz also voted for him. We talked the matter over among ourselves, and I saw some of their tickets. The election was opened in the morning. I was on duty in the afternoon.

Question by Mr. Smith:

I was born on the 7th of August, 1843. From the best information I had from my parents I was twenty-one years old in the month of August preceding the election. I saw Stevens's ticket. I saw him put it in. I saw the tickets of most of the Fulton county men.

BENJ. F. PITTMAN.

Robert N. Shimer sworn:

I was in the military service of the United States in the fall of 1864. I was a member of company H, 208th regiment of Pennsylvania volunteers. There was an election held for that company on the second Tuesday of October, 1864. William G. Eicholtz, Jos. C. Long and myself were the judges. John H. Wilt and Joseph Fry were the clerks. It was held at company quarters in camp, army of the James. The officers of the election were all duly sworn. The election was fairly and honestly conducted. The ballots were fairly counted and the return was correctly and honestly made. I have seen and examined the certified copy of the return of that election made out by the prothonotary of Bedford county, and referred to in the deposition of O. E. Shannon as exhibit B, which is now before me. It contains the names of sixty persons who voted at that election; they were all members of company H. I knew them all personally. Jacob Witters and Barney Barto were from Cambria county; Henry Gelbach, Alexander Reed, William A. Walker and Alexander Coulter were from Huntingdon county; Samuel Uglon and Nicholas Uglon were from Franklin county; sixteen of the rest were from Fulton county, and thirty-six were from Bedford county. The right to vote was inquired into by the board as the voters presented themselves, and some of them were rejected as not being qualified voters. I voted myself, and voted for Mr. Koontz for Congress. We made separate returns of the elections to the different counties.

ROBT. N. SHIMER.

John H. Wilt sworn:

I was a member of company H, 208th regiment Pennsylvania volunteers. I went into the company from McConnellsburg; was a citizen of McConnellsburg and am yet. Mr. Robert N. Shimer entered the service with me from the same place, and he was and is a citizen of McConnellsburg. I heard all the testimony given by Mr. Shimer, and examined the returns referred to by him. His statements are substantially correct, and I concur in them. He gave a correct statement of the residences of the different members of the company. I am acquainted personally with all of the sixty members of the company that voted. No persons were permitted to vote at the election except the members of the company. I was one of the clerks. The board was duly sworn; they swore each other. The election was opened at 8 o'clock a. m. and closed at 7 o'clock p. m. The election was honestly conducted; the ballots fairly counted and the return honestly made. I voted, and voted for Mr. Koontz. We made separate returns to the different counties.

JOHN H. WILT.

I do hereby certify that the foregoing depositions were taken before me, on the day and between the hours and at the place mentioned in the caption; that the witnesses were all duly sworn or affirmed before their statements were reduced to writing, and that the exhibits referred to in said depositions, and accompanying the same, were all respectively endorsed by me.

In witness whereof, I have hereto set my hand this sixth day of April, A. D. eighteen hundred and sixty-six.

A. KING,
President Judge of the 16th Judicial District of Pennsylvania.

No. 13.

[Paper G, referred to in the evidence of John A. Robinson, esq.]

We, the subscribers, being duly appointed the return judges of the general election held in the several districts, in the county of Fulton, on the 11th day of October, 1864, having met together at the court-house in the borough of McConnellsburg, and having carefully examined the returns of the several districts, and added together the votes therein contained, according to law, do certify that at said election the following-named persons had the number of votes set opposite their names for the office of Congress of the United States:

William H. Koontz had votes five hundred and thirteen, (513.)

A. H. Coffroth had votes eight hundred and three, (803.)

The following is the army vote cast for the above-named candidates, as handed to us and certified to by John A. Robinson, prothonotary of Fulton county, on the 28th day of October, A. D. 1864:

William H. Koontz had votes twenty-two, (22.)

A. H. Coffroth had votes four, (4.)

In witness, we have hereunto set our hands and seals the fourteenth day of October, A. D. 1864.

LEWIS BERGSTRESSER.	[SEAL.]
JONATHAN E. SHIVES.	[SEAL.]
HERVEY KEITH.	[SEAL.]
JAMES LYNCH.	[SEAL.]
WM. T. KLINE.	[SEAL.]
SAMUEL KERLIN.	[SEAL.]
S. S. MELLOTT.	[SEAL.]
NATHAN WINTER.	[SEAL.]
BARTLEY MORGRET.	[SEAL.]
JOHN NELSON.	[SEAL.]
J. W. PORTER.	[SEAL.]

Attest:
R. CAHILL,
GEO. MCGOVERN,
Clerks.

FULTON COUNTY, *ss:*

I, Jno. A. Robinson, prothonotary of said county, hereby certify that the within is a full and true copy of the congressional vote of Fulton county, Pennsylvania, cast at the October election, 1864, as returned by the judges of election of said county.

Witness my hand and official seal at McConnellsburg, March 10, A. D. 1865.

[SEAL.]

JNO. A. ROBINSON,
Prothonotary.

No. 14.

[Paper H, referred to in the evidence of John A. Robinson, esq.]

A statement showing the returns of soldiers' votes in Fulton county for the year 1864, with the vote cast for each candidate for Congress, included in the computation of the vote by the board of return judges of said county.

Company and regiment.	Place of voting.	Vote for W. H. Koontz.	Vote for A. H. Coffroth.
Detachment of signal corps	Camp at Greencastle	1	
(Not given in return)	Camp Biddle, Pa	2	
	United States army hospital, Philadelphia	1	
	Hospital, York, Pa	1	
	Camp Parole, Annapolis, Md	1	
Company E, 84th regiment	Fort Blass, Va		1
Datachment of 186th Pa. vols.	Camp at Philadelphia	1	
Company E, 49th regiment	Camp near Winchester	2	
	Remount Camp, Martinsburg, West Virginia	5	2
Comp'y K, 202d Reg. Pa. vols.	Thoroughfare Gap, Va	4	
Comp'y D, 209th Pa. vols	Bermuda Hundred, Va	2	
	Turner's Lane United States general hospital, Philadelphia	1	
Comp'y B, 148th Reg. Pa vols.	Fort Steadman, Va		1
	No. 374 H street, Washington city, D C	1	

FULTON COUNTY, *ss:*

I, Jno. A. Robinson, prothonotary of the court of common pleas in and for the county aforesaid, in the State of Pennsylvania, do hereby certify that the foregoing statement shows the number of soldiers' votes included in the computation of the return judges of said county, together with the number of votes cast for each candidate for Congress in the sixteenth congressional district of Pennsylvania at the election held on the second Tuesday of October, A. D. 1864; also the name of the company and regiment (where the same are given in the return made and filed in this office) and the place of holding the several elections, returns whereof are made and included as aforesaid, as the same remains on file in my office.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said court at McConnellsburg, the 6th day of April, A. D. 1866.

[SEAL.]

JNO. A. ROBINSON,
Prothonotary.

No. 15.

[Paper I, referred to in the evidence of John A. Robinson, esq.]

At an election held by the electors of company G, 205th regiment of Pennsylvania soldiers, at Camp Old Court House, near City Point, Virginia, there

were nineteen (19) votes cast for president judge; of which Alexander King had eight votes; Francis M. Kimmell had two votes.

For Congress there were fifty-one votes cast; of which William H. Koontz had eight votes; Alexander H. Coffroth had two votes.

For assembly there were fifty-one votes cast; of which Moses A. Ross had eight votes; David B. Armstrong had eight votes; J. McDowell Sharpe had one vote; S. Mitchell had one vote.

For commissioner, Benjamin A. Lyon had eight votes.

For auditor, Alexander Mayne had eight votes; John Carlton had eight votes, (not votes cast again, two last named.)

A true return of the election held as aforesaid, on the eleventh day of October, anno Domini one thousand eight hundred and sixty-four.

J. M. STAUBER,
Private Company G, 205th Regiment Penn. Vols.,
Judge of Election.

Attest:
JOHN HERENCANE.
JAS. G. KENDALL.

Tally, Fulton county.

For president judge, Alexander King had eight votes; Francis M. Kimmell had two votes.

For Congress, William A. Koontz had eight votes; Alexander Coffroth had two votes.

For assembly, Moses A. Raus had eight votes; David B. Armstrong had eight votes.

For commissioner, Benjamin A. Lyon had eight votes.

For treasurer, Alexander Mayne had eight votes.

For auditor, John Carlton had eight votes.

STATE OF PENNSYLVANIA, *Office of the secretary of the commonwealth:*

Among the returns of the election held on the 11th day of October, A. D. 1864, transmitted to, and received at, this department from company G, 205th regiment Pennsylvania volunteers, near City Point, Virginia, it is thus contained:

Names of voters from Fulton county.

No. 1. David Stevens, Licking Creek.
2. Mathias M. Sturet, McConnellsburg borough.
3. Porter B. Baker, McConnellsburg.
4. James D. Kindel, Ayr township.
5. John W. Aultz, McConnellsburg borough.
6. John F. Kindle, Ayr township.
7. George W. Climans, Dublin township.
8. Benjamin F. Pittman, Thompson.
9. James Shimer, McConnellsburg borough.
10. Edward Ferrenburg, Ayr township.

Names of candidates for United States Congress: William H. Koontz had eight votes; Alexander H. Coffroth had two votes.

For president judge: Alexander King had eight votes; Francis M. Kimmell had two votes.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of said election returns so far as the same relates to the county of Fulton.

In witness whereof, I have hereunto set my hand and caused the seal of said office to be affixed, this twenty-seventh day of October, A. D one thousand eight hundred and sixty-four.

[SEAL.]

ELI SLIFER,
Secretary of the Commonwealth.

Filed October 28, 1864.

FULTON COUNTY, *ss:*

I, Jno. A. Robinson, prothonotary of the court of common pleas, in and for Fulton county, Pennsylvania, do hereby certify the foregoing is a full and true copy of the return of the election of company G, 205th regiment Pennsylvania volunteers, held October 11, A. D. 1864, as the same is filed in my office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at McConnellsburg, the 6th day of April, A. D. 1866.

[SEAL.]

JNO. A. ROBINSON, *Prothonotary.*

No. 16.

[Paper K, referred to in the evidence of John A. Robinson, esq.]

Return of the election.

At an election held by the electors of Fulton, Bedford, Franklin, Huntingdon and Cambria counties, in company H, of the 208th regiment of Pennsylvania soldiers, at Captain Harvey Wishart's quarters, in camp, army of the James, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast fifteen votes by the electors of Fulton county.

For representative in the House of Representatives in the Congress of the United States, fifteen votes; of which, Wm. H. Koontz had nine votes; A H. Coffroth had six votes.

For assembly in Pennsylvania legislature there were cast fifteen (15) votes; of which, D. B. Armstrong had nine (9) votes; Moses A. Ross had nine (9) votes; B. F. Myers had six (6) votes; Hiram Findlay had six (6) votes.

For county commissioner there were cast fifteen votes; of which, Benjamin A. Lyon had nine (9) votes; G. W. Leighty had six (6) votes.

For treasurer there were cast fourteen (14) votes; of which, Alexander Mayne had eight (8) votes; D. R. Dunlap had six votes.

For county auditor there were cast fifteen votes; of which, John Charlton had nine (9) votes; A. J. Fore had six (6) votes.

For district attorney there were cast five (5) votes; of which J. N. Sipes had all five votes.

For president judge of sixteenth district there were cast fifteen (15) votes; of which, Alexander King had nine (9) votes; F. M. Kimmell had six (6) votes.

The foregoing is a true return of votes cast by the electors of Franklin county in company H, 208th Pennsylvania volunteers, as will more fully appear on the company poll-book sent to the secretary of the commonwealth and prothonotary of Bedford county, certified by us the day and year aforesaid.

First Lieut. WM. G. EICHOLTZ,
Co. H, 208th Reg. Pa. Vols,
ROBT. N. SHIMER,
Co. H, 208th Reg. Pa. Vols.,
J. C. LONG,
Co. H, 208th Reg. Pa. Vols.,
Judges of said Election.

JOSEPH FRY,
JOHN H. WILT,
Clerks of said Election.

Filed October 19, 1866.

PENNSYLVANIA, *Fulton County, ss:*

I, Jno. A. Robinson, prothonotary of the court of common pleas in and for said county, do hereby certify that the paper hereto attached contains a full and true copy of the return of the election held in company H, 208th regiment of Pennsylvania volunteers, on the 11th of October, A. D. 1864, as filed in my office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at McConnellsburg, the 6th day of April, A. D. 1866.

[SEAL.] JNO. A. ROBINSON, *Prothonotary.*

STATE OF PENNSYLVANIA, *County of Adams, ss:*

Personally appeared Robert G. McCreary, the commissioner named for Adams county, in the annexed agreement, who, being duly sworn, saith that he will perform his duties impartially and according to the best of his judgment and ability.

R. G. McCREARY.

Sworn and subscribed April 23, 1866, before me.

J. A. KITZMILLER, *Prothonotary.*

WILLIAM H. KOONTZ
vs.
ALEXANDER H. COFFROTH.

In the matter of the contested election case from the sixteenth congressional district of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, Franklin, and Adams, pending before the thirty-ninth Congress of the United States.

SIR: Please to take notice that the depositions of Jacob A. Kitzmiller and other witnesses, to be read in evidence on the part of William H. Koontz in the hearing of the above case before the Committee of Elections of the thirty-ninth Congress, will be taken before Robert G. McCreary, esq., or some other person duly qualified by the laws of the United States to take testimony in such cases, at Gettysburg, in the borough of Gettysburg, on Monday, the 23d day of April, A. D. 1866, between the hours of 10 o'clock a. m. and 4 o'clock p. m. of said day, and to continue from day to day until the testimony of said witnesses may be taken; when and where you may attend if you see proper.

D. A. MUEHLER,
Attorney for W. H. Koontz.

WILLIAM McLEAN, Esq.,
Attorney for Hon. Alex. H. Coffroth.

APRIL 4, day of ——, 1866.

Names of witnesses.

Jacob A. Kitzmiller, Jacob Bushey, William S. Cant, David Sweeney, George A. Earnshaw, Jacob W. Cress, Joseph Kunkle, Charles J. Septon, John C. Moutin, Perry J. Tate, J. H. A. Young, David M. Young, J. L McClellan, James Michly, Abraham King, Anthony Clunk, Francis A. Noel, Philip L. Houck, Jesse Diehl, William H. Adams, Jacob W. Fidler, Jacob McElheny, Schriven, Charles Horner, Lewis Monford, Henry Gipe, Samuel Rose, Patrick Mulligan, George Kline, Andrew Kunce, Richard Stevers, George Luther, Samuel Beard, George W. Morgan, William Keefer, Henry Hilt, Jake Gutermoot, Jonas Johns, and others.

GETTYSBURG, PA., *April* 4, 1866.

I hereby acknowledged to have received notice of within rule to take depositions, and accept service of the same.

WM. McCLEAN,
Attorney for Hon. A. H. Coffroth.

Testimony taken in pursuance of the annexed agreement before Robert G. McCreary, the commissioner named for Adams county in the matter of the contest in the sixteenth (16th) congressional district of Pennsylvania, composed of the counties of Adams, Bedford, Franklin, Fulton, and Somerset, for a seat in the thirty-ninth (39th) Congress of the United States; said testimony being taken under the annexed notice, commencing on Monday, April 23, 1866. David A. Buehler, esq., and David McConaughey, esq., appearing for the contestant, Wm. H. Koontz, and Wm. McClean, esq., and Hon. Alexander H. Coffroth appearing for the sitting member.

April 23, 1866—It is admitted that the following is a correct copy of the certificate of the majority of the return judges for Adams county, in the election held in said county for member of Congress, October 11, 1864, as filed in the office of the prothonotary of said county.

Certificate of return judges—State and district offices.

We, the subscribers, being duly appointed return judges of the election held in the several districts in the county of Adams, on the eleventh instant, it being the second Tuesday in October, A. D. one thousand eight hundred and sixty-four, having met together at the co rt-house in the borough of Gettysburg, in the said county of Adams, and having carefully examined the returns of the said several districts, and added together the votes therein contained, according to law, do certify that at the said election the votes for member of the House of Representatives of the United States were as follows, to wit:

Alexander H. Coffroth had twenty-seven hundred and seven votes, (2,707;) William H. Koontz had twenty-three hundred and sixty-six votes, (2,366.)

And Frederick Diehl, esq., one of the said judges, is authorized to take charge of this certificate, and produce the same at a meeting of one judge from each county composing the sixteenth congressional district, at the court-house in Chambersburg, on Friday next.

In testimony whereof, we have hereunto set our hands and seals this 28th day of October, A. D. 1864, having adjourned on the 14th instant to meet this day for the purpose of counting the soldiers' vote, which we have included in above enumeration, according to law.

HENRY J. KUHN. [L. S.]
ABRAHAM KRISE. [L. S.]
FRANCIS BREAM. [L. S.]
JOHN BAKER. [L. S.]
WILLIAM DUTTERA. [L. S.]
JOHN RUFF. [L. S.]
PETER ORENDORFF. [L. S.]
JOHN STRAUSBAUGH. [L. S.]
GEORGE GINTER. [L. S.]
HENRY WITMOR. [L. S.]
JOHN BAKER, [L. S.]
WILLIAM A. McSHERRY. [L. S.]
F. DIEHL. [L. S.]
DANIEL S. DIEHL. [L. S.]

Attest:
H. G. WOLF,
WILLIAM McCLEAN,
Clerks.

ADAMS COUNTY, *ss:*

I, Jacob Bushey, prothonotary of Adams county, do hereby certify that the within is a true and correct copy of the return of the election delivered to me

by the return judges of Adams county, taken from and compared with the original on file in my office.

Given under my hand and the seal of the court of common pleas of said county, at Gettysburg, Pennsylvania, this 9th day of March, A. D. 1865.

[SEAL.] JACOB BUSHEY, *Prothonotary.*

R. G. McCREARY, *Commissioner.*

D. A. Buehler, esq., counsel for contestant, offers in evidence the following paper, being a certified copy of a paper signed by a majority of the return judges of the election held October 11, 1864, and filed in the office of the prothonotary of Adams county, December 6, 1864:

R. G. McCREARY, *Commissioner.*

We, the subscribers, being duly appointed return judges of the election held in the several districts in the county of Adams, and among the soldiers of said county, on the 11th instant, it being the second Tuesday in October, A. D. 1864, having met together at the court house, in the borough of Gettysburg, in the said county of Adams, and having carefully examined the returns of the said several districts, and of the soldiers' votes, do certify that we find the following returns illegal:

Company K, one hundred and eighty-fourth regiment, because it embraced a voter from Franklin county.

Company C, two hundred and second regiment, because the election was held but by one judge, and return made but by the same one judge.

Mower United States general hospital, Cuyler United States army general hospital, McClellan United States army general hospital, because certificates of oaths of election officers are wanting.

Companies B and G, 138th regiment, because two companies voted at one poll before one set of election officers.

Company I, 210th regiment, because certificate of oath is wanting.

Company B, 21st regiment volunteer cavalry, because no copy of the return of this company election was certified to the return judges by the prothonotary; and further, because it appears from the original return that the officers of election were affirmed by James Mickley, captain, &c., who was not an officer of the election, and because there were more votes cast for Congress than there were electors of Adams county at that election.

In testimony whereof, we have hereunto set our hands and seals this 28th day of October, A. D. 1864.

HENRY J. KUHN.	[SEAL.]
JOHN STRAUSBAUGH.	[SEAL.]
PETER ORENDORFF.	[SEAL.]
FRANCIS BREAM.	[SEAL.]
SAMUEL BLAKE.	[SEAL.]
HENRY WITMOR.	[SEAL.]
WILLIAM DUTTERA.	[SEAL.]
WILLIAM A. McSHERRY.	[SEAL.]
JOHN BAKER.	[SEAL.]
JOHN RUFF.	[SEAL.]
F. DIEHL.	[SEAL.]
GEORGE GINTER.	[SEAL.]
DANIEL S. DIEHL.	[SEAL.]
ABRAHAM KRISE.	[SEAL.]

Attest:

H. G. WOLF,
WILLIAM McCLEAN,
Clerks.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas of said county, hereby certify that the foregoing is a true and correct copy of certificate on file in the prothonotary's office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, this 23d day of April, A. D. 1866.

[SEAL.] J. A. KITZMILLER, *Prothono'ary.*

The sitting member objects to this paper being put in evidence.

R. G. McCREARY, *Commissioner.*

William McClean, esq., sworn:

I was one of the clerks for the return judges at the election held on October 11, 1864. I prepared the certificate signed by the majority of the return judges, dated October 28, 1864, and which has been given in evidence. The aggregate mentioned in that certificate was made up of the home vote and military vote. The home vote was twenty-six hundred and forty-four (2,644) votes for Alexander H. Coffroth, and twenty-two hundred and thirty-three (2,233) votes for William H. Koontz. Sixty-three (63) soldier votes for Alexander H. Coffroth, and one hundred and thirty-three (133) soldier votes for William H. Koontz. In the computation of the home vote, the district of Hamiltonburn and Liberty was counted: one hundred and fifty-five (155) for Alexander H. Coffroth, and one hundred and sixty-three (163) for William H. Koontz.

Cumberland district was counted one hundred and thirty-two (132) votes for Alexander H. Coffroth, and one hundred and sixteen votes for William H. Koontz. Franklin district was counted one hundred and ninety-seven (197) votes for Alexander H. Coffroth, and one hundred and thirty-five (135) votes for William H. Koontz. The return from the Mower United States general hospital was not counted; the returns from Cuyler United States hospital and McClellan United States hospital were not counted. The returns from company K, 184th regiment Pennsylvania volunteers; company C, 202d regiment Pennsylvania volunteers; companies B and G, 138th regiment Pennsylvania volunteers; company I, 210th regiment Pennsylvania volunteers; and company B, 21st regiment Pennsylvania cavalry, were not counted by the return judges in making up their certificate. I, as clerk for the return judges, prepared the paper given in evidence, signed by a majority of the return judges, giving their reasons for their rejection of the above-mentioned returns, the above-specified returns being the same mentioned in said paper.

WM. McCLEAN.

Hon. A. H. Coffroth, the sitting member, objects to the examination of this witness, and declines to cross-examine him, because he is the counsel for the sitting member; *secondly*, because he testified to that which is an official record, and because his name does not appear in the list of witnesses in the notice served on the counsel for sitting member; and, therefore, the sitting member had no notice of said McClean being a witness; and further, because he testifies to that which is not set out in the notice served by the contestant upon the sitting member.

Henry Rupp sworn:

I reside in Huntingdon township, Adams county; I am twenty-three years of age past; I was a private in company H, of the 188th regiment Pennsylvania volunteers, in October, 1864; I was in Cuyler United States hospital, Philadelphia, at the time of the election, October 11, 1864; I voted at that election for member of Congress; I voted for Koontz; I was at that time between twenty-

one and twenty-two years of age; I am the person who cast the vote mentioned in the return from Cuyler hospital, and who cast the ballot accompanying the said return, and which are here shown to me, which ballot is as follows: ,

State ticket—For Congress, sixteenth district, William H. Koontz; senate, ——— ———; assembly, David M. Myers.

his
HENRY ✕ RUPP.
mark.

Attest:

R. G. McCREARY,
Commissioner.

Hon. A. H. Coffroth, the sitting member, and his counsel, declined to cross-examine the witness, because his name is not in the list of witnesses furnished, and no notice given to sitting member that he would be called.

It is admitted that the following paper is a correct copy of the return from Cuyler United States general hospital filed in the office of the prothonotary of Adams county:

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Adams county, in the State of Pennsylvania, in the actual military service under the requisition of the President of the United States, and being unable to attend any other place of election; this election being held at Cuyler United States army hospital, Philadelphia, which place the said electors, being present, have selected for opening a poll, and certify herein; Darius L. Sanders, James Kester, and Craig Carney being then and there duly elected judges of the said election, and Henry Kingston and Robert C. Clark being duly appointed clerks of the same, and having been duly sworn or affirmed according to law.

DARIUS L. SANDERS,
Sergt. Co. H, 148th Pa.,
JAMES KESTER,
Corp. Co. F, 143d Pa. Vols.,
CRAIG CARNEY,
Private Co. E, 99th Pa.,
Judges.

HENRY KINGSTON,
Sergt. Co. E. 188th Pa.,
ROBERT C. CLARK,
162d Co. V. R. C.,
Clerks.

Number and names of the electors voting at the said election, who are residents of Adams county, with their city, borough, township, ward, or precinct.

1. Henry Rupp, private company H, 188th Pa., Huntingdon township.

Tally-paper or list of votes and returns for each person voted for at the said election by the qualified voters of Adams county.

For representative in the House of Representatives in the Congress of the United States, William H. Koontz had one (1) vote.

For representative in the house of representatives of Pennsylvania, David M. Myers had one (1) vote.

We hereby certify that the aforesaid tally-papers and return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight

hundred and sixty-four, certified by us the day and year aforesaid, is correct and a true return thereof.

DARIUS L. SANDERS,
Serg't Co. H, 148th Pa.,
JAMES KESTER,
Corp. Co. F, 143d Pa. Vols.,
CRAIG CARNEY,
Private Co. E, 99th Pa.,
Judges of said Election.

Attest:
HENRY KINGSTON,
Serg't Co. E, 188th Pa.,
ROBERT C. CLARK,
162d Co. V. R. C.,
Clerks.

(Ticket enclosed.)

I do hereby certify that the foregoing is a true copy taken from the original in the office of the prothonotary of Adams county, Pennsylvania.

[SEAL.] JACOB BUSHEY, *Prothonotary.*

GETTYSBURG, *February* 17, 1865.

William S. Cart affirmed:

I reside in Menallen township, Adams county, Pennsylvania, and am forty-seven years of age. I was one of the return judges for Adams county, at the election held in October, 1864. The certificate as made out by the clerks was not signed by all the return judges; a portion of them refused to sign because some of the returns were excluded. The judges who refused to sign the certificate withdrew, and drew up a protest, of which the following is a correct copy:

GETTYSBURG, PA., *October* 28, 1864.

The undersigned, members of the board of return judges of election for the county of Adams, having declined to sign the certificate of returns this day made out, deem it due to themselves and the course of justice to explain the reasons therefor, and to make an official protest against the action of the majority of the judges in excluding a large number of votes cast by Adams county volunteers for alleged informality in the certificates.

Section 27 of the act of August 25, 1864, regulating the mode in which persons in military service may exercise the right of suffrage, expressly provides that "*No mere informality in the manner of carrying out or executing any of the provisions of this act shall invalidate any election held under the same, or authorize the return thereof to be rejected or set aside.*"

The intention of the legislature, in our judgment, as expressed in this section, is very clear. Contemplating the probability that in many of the camps the provisions of the law might be imperfectly understood, or the returns be defectively certified, the law forbids the return judges from rejecting returns on account of mere informality in the manner of carrying out or executing the provisions of the act, and expressly reserves to the courts and bodies having jurisdiction the duty of determining the legality of elections held or of votes cast.

Yet, in the face of these plain provisions of the act, a majority of the return judges undertook to reject and set aside eight returns for alleged informality, viz: the 138th Pennsylvania regiment, 184th Pennsylvania regiment, 202d Pennsylvania regiment, 21st Pennsylvania cavalry, 210th Pennsylvania regiment, Mower United States hospital, Cuyler United States hospital, and McClellan United States hospital. These returns certify 158 votes to have been polled for

William H. Koontz for Congress, and 50 votes for Alexander H. Coffroth, being a majority of 108 for William H. Koontz.

Regarding this action of a majority of the return judges as a clear violation of law, a gross outrage upon the rights of the soldiers whose suffrages have thus been summarily set aside, and calculated to defraud William H. Koontz, the Union candidate for Congress, of his right to a seat in Congress, we deemed it our duty to protest against their action, and refuse to sign the certificates.

D. SWENEY, *Return Judge for Gettysburg District.*
WILLIAM S. CART, *Return Judge for Menallen District.*
SEBASTIAN HEFER, *Return Judge for Berwick Borough.*
SAMUEL T. MORITZ, *Return Judge for Freedom District.*
HENRY WEIGLE, *Return Judge for Butler District.*
JOHN W. WEIGLE, *Return Judge for Highland District.*
JOHN J. ALBERT, *Return Judge for York Springs District.*

Schedule of returns rejected.

	Koontz.	Coffroth.
Mower United States hospital, Philadelphia	1	—
Cuyler United States hospital, Philadelphia	1	—
McClellan United States hospital, Philadelphia	3	—
138th Pennsylvania regiment, Front Royal, Virginia	32	1
184th Pennsylvania regiment	39	21
202d Pennsylvania regiment, White Plains, Virginia	27	15
21st Pennsylvania cavalry, City Point, Virginia	36	4
210th Pennsylvania regiment	19	9
Total	158	50

The judges who withdrew prepared a certificate embracing the whole vote, including the returns and votes rejected by the majority of the judges, of which certificate the following is a correct copy:

Certificate of return judges—Adams county.

The return judges of election held in the several districts in the county of Adams on the eleventh instant, (it being the second Tuesday in October, A. D. 1864,) having met together in the court-house in the borough of Gettysburg, in said county of Adams, on Friday, the 14th day of October, A. D. 1864, and having carefully examined the returns of the said several districts, and added together the votes therein contained, found that in said districts the votes for Congress were as follows, to wit: Alexander H. Coffroth had two thousand six hundred and forty-four, (2,644;) William H. Koontz had two thousand two hundred and thirty-three votes, (2,233.) Whereupon the said judges adjourned, as required by law, to meet on Friday, the 28th day of October, A. D. 1864, (being the third Friday after said general election,) for the purpose of counting the soldiers' votes; and having so met on this 28th day of October, A. D. 1864, returns of votes cast by qualified voters from Adams county, in the military service of the United States, at elections held on the said second Tuesday of October, in various companies, hospitals, &c., were received and laid before said judges, showing the following votes to have been cast, viz:

	For William H. Koontz.	For Alexander H. Coffroth.
Mower United States general hospital, Philadelphia	1	0
Carver hospital, Washington, D. C	1	1
Camp Parole, Annapolis, Maryland	3	0
3d Pennsylvania artillery, Fort Monroe, Virginia	1	0

Cuyler hospital, Philadelphia	1	0
McClellan hospital, Philadelphia	3	0
1st Pennsylvania Home Brigade cavalry, Bolivar Heights	16	0
12th Pennsylvania regiment	0	1
138th Pennsylvania infantry, companies B and G, Front Royal Virginia	32	1
205th Pennsylvania infantry, C	0	1
3d Pennsylvania artillery, Fort Monroe, Virginia	6	0
Camp Fry, Washington, D. C	0	1
200th Pennsylvania regiment, Old Prince George's Court House	0	1
210th Pennsylvania regiment, colored camp, Squirrel Hill	1	0
Mount Pleasant hospital, District of Columbia	0	1
Camp Martinsburg, Virginia	1	1
Cove Gap, Pennsylvania first battery, 100-days men	2	0
184th Pennsylvania infantry, company K	39	21
Camp Biddle, Carlisle, Pennsylvania	1	1
49th Pennsylvania infantry, company I, Winchester, Virginia	8	0
205th Pennsylvania infantry, company I, Old Court House	16	20
187th Pennsylvania infantry, Camp Cadwalader, Pennsylvania	1	0
Chester hospital, Pennsylvania	2	0
209th Pennsylvania infantry, company G, Bermuda Hundred	54	35
202d Pennsylvania infantry, company C, White Plains	27	15
McConnellsburg, Pennsylvania, independent scouts	6	2
Camp Cadwalader, Pennsylvania	1	0
49th Pennsylvania infantry, Winchester, Virginia	2	0
Jarvis hospital, Baltimore, Maryland	1	0
York hospital, York, Pennsylvania	6	0
Chattanooga, Tennessee	1	0
9th Pennsylvania cavalry, Whiteside, Tennessee	2	0
21st Pennsylvania cavalry, company B, City Point, Virginia	36	4
210th Pennsylvania infantry, company I	19	9
Company A, 1st regiment light artillery, Chapin's Farm, Virginia	2	0
	292	115

For William H. Koontz, two hundred and ninety-two votes. For Alexander H. Coffroth, one hundred and fifteen votes. Adding said soldiers' vote thus returned to the votes in the several election districts as previously ascertained in said county, as required by law, it was ascertained, and we do hereby certify, that the total vote for Congress in Adams county was as follows, viz: William H. Koontz had two thousand five hundred and twenty-five votes, (2,525;) Alexander H. Coffroth had two thousand seven hundred and fifty-nine votes, (2,759.)

In testimony whereof, we have hereupon set our hands and seals, at Gettysburg, Pennsylvania, this 28th day of October, A. D. 1864.

DAVID SWEENEY, [SEAL.]
Return Judge for Gettysburg.
JOHN W. WEIGLE, [SEAL.]
Return Judge for Highland.
HENRY WEIGLE, [SEAL.]
Return Judge for Butler.
WILLIAM S. CART, [SEAL.]
Return Judge for Menallen.
JOHN J. ALBERT, [SEAL.]
Return Judge for York Springs.
SEBASTIAN HEFER, [SEAL.]
Return Judge for Berwick Borough.
SAMUEL T. MORITZ, [SEAL.]
Return Judge for Freedom.

I was appointed by the judges who signed this certificate as a return judge to attend the meeting of the district return judges at Chambersburg. I attended that meeting, and delivered the original certificate, of which the foregoing is a copy, to Mr. Wills, who was the president of the board of district return judges and return judge from Somerset county.

Cross-examined by Hon. A. H. Coffroth:

I did not draw up the protest mentioned by me; I was present when it was drawn up; it was drawn up by David A. Buehler esq., in his office. I suggested the drawing up of a protest to Mr. Buehler; I had protested openly before the board; I did not tell Mr. Buehler what to say in the protest; minutes had been kept of the action of the board, and the protest was drawn up from those minutes; Dr. Fahnestock had kept the minutes; he was not a return judge nor clerk; he was present by invitation, by the invitation of those judges who refused to sign the certificate; Dr. Fahnestock was there in the forenoon; it was in the afternoon the minutes were kept; he was requested at noon to keep a minute; there was little done in the forenoon; I do not remember who else were present when the protest was drawn by Mr. Buehler besides the other five judges who signed it and myself. I think I read the original protest once, and heard Mr. Buehler read it a couple of times before we signed it; I did not read it to the other judges, Mr. Buehler read it aloud. I can say, after the lapse of two years, that the copy above given is a true copy of the original protest, to the best of my recollection. I had a copy at home and have read it perhaps twenty times since. The judges signed the paper; I met some of them at Mr. Buehler's when they signed this paper. The minority or seceding judges had no regular organization; they had no president nor clerks appointed. I cannot tell who made out the certificate which I took to Chambersburg; it was signed by all the minority judges; it was delivered to me by Mr. Buehler. I don't know who advised those judges to get up a certificate of this kind. I was a deputy United States assessor at that time and am now; Mr. Buehler was postmaster at that time and is now.

Re-examined in chief by D. McConaughy, esq:

The judges who refused to sign the certificate of the majority withdrew to Mr. Buehler's office, which is across the street, nearly opposite the court-house, where the board met; the papers prepared by Mr. Buehler were prepared at the request of the judges who signed them. I did not keep any minute of the returns, as they were ascertained by the clerks in the board.

WM. S. CART.

R. G. McCREARY, *Commissioner.*

It is admitted that the following is a correct copy of the return of the election held in companies B and G, of the 138th regiment Pennsylvania volunteers, on October 11, 1864, on file in the office of the prothonotary of Adams county, Pennsylvania:

Poll-book of the election held on the second Tuesday of October, one thousand eight hundred and sixty-four, by the qualified electors of Adams county, State of Pennsylvania, in companies B and G, of the 138th regiment of Pennsylvania volunteers, held at camp near Front Royal, Warren county, Virginia; Lieutenant George A. Earnshaw, company B, Lieutenant and Adjutant Jacob W. Cress, and Lieutenant George W. Mullen, company G, being duly elected as judges of said election, and Jacob Bushey, company G, and William H. Houghtelin, company B, being duly appointed clerks of said election, were severally sworn or affirmed as per certificates herewith returned.

No.	Names of voters.	Co.	County of—	Borough or township.
1	Amos Starry	G	Adams	Huntington.
2	William A. Pitzer	G	do	Menallen.
3	Amos M. Detrick	B	do	Mount Pleasant.
4	Israel I. Miller	B	do	Hamiltonban.
5	Basil H. Norris	B	do	Straban.
6	John C. Schriver	G	do	Cumberland.
7	Winfield Cover	B	do	Hamiltonban.
8	John G. Scott	G	do	Franklin.
9	Charles P. K. Walter	G	do	Menallen.
10	Isaac E. Cook	G	do	Menallen.
11	David Slaybaugh	G	do	Menallen.
12	William F. Cline	G	do	Menallen.
13	William Heintzelman	B	do	Franklin.
14	Christian Byers	B	do	Highland.
15	George A. Earnshaw	B	do	Gettysburg.
16	William H. Houghtelin	B	do	Cumberland.
17	Henry C. Sadler	G	do	Tyrone.
18	John Miller	B	do	Hamiltonban.
19	Forrest Linah	G	do	Tyrone.
20	James McGrail	G	do	Menallen.
21	Emanuel G. Eppleman	G	do	Menallen.
22	George W. Routzong	G	do	Tyrone.
23	Henry G. Conrad	G	do	Tyrone.
24	Jacob W. Cress	Adj't	do	Straban.
25	Thomas Crouse	B	do	Freedom.
26	Ephraim Miller	B	do	Hamiltonban.
27	Isaac H. Moore	B	do	Liberty.
28	Elias Wreights	B	do	Germany.
29	George W. Mullen	G	do	Tyrone.
30	Jacob Bushey	G	do	Franklin.
31	John Orr	B	do	Highland.
32	John Bormuth	B	do	Gettysburg.
33	Jacob A. Beisecker	B	do	Franklin.

It is hereby certified that the number of electors for Adams county, Pennsylvania, voting at this election, amounts to thirty-three.

GEORGE A. EARNSHAW,
JACOB W. CRESS,
GEORGE W. MULLEN,
Judges of Election.

Attest:
WM. H. HOUGHTELIN,
JACOB BUSHEY,
Clerks.

Tally-list of companies B and G, 138th Pennsylvania volunteer infantry.

For Congress: William H. Koontz, 32; Alexander H. Coffroth, 1.
For assembly: David M. Myers, 31; James H. Marshall, 2.
For commissioner: John Day, 33; Abraham Krise, of P., 0.
For director of poor: Ephraim D. Newman, 31; John N. Graft, 2.
For auditors: Isaac N. Durboraw, (three years,) 32; Joseph Kepner, (two years,) 31; Joseph Burkee, (three years,) 1; Jacob Hull, (two years,) 2.
(Tickets enclosed.)

We, Lieutenant George A. Earnshaw, Jacob W. Cress, adjutant, and Lieutenant George W. Mullen, judges of this election, and William H. Houghtelin and Jacob Bushey, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of said election, severally acting as above set forth, according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse, in conducting the same.

GEORGE A. EARNSHAW,
1st Lieut. Company B, 138th Pennsylvania Volunteers.
JACOB W. CRESS,
1st Lieut. and Adjutant, 138th Pennsylvania Volunteers.
GEORGE W. MULLEN,
2d Lieut. Company G, 138th Pennsylvania Volunteers.
WILLIAM H. HOUGHTELIN,
JACOB BUSHEY,
Clerks.

I hereby certify that George A. Earnshaw and George W. Mullen, judges, and William H. Houghtelin and Jacob Bushey, clerks, were, before proceeding to take any votes at said election, first duly sworn, as aforesaid.
Witness my hand this eleventh day of October, A. D. 1864.
JACOB W. CRESS, *Judge of Election.*

I certify that Jacob W. Cress, judge aforesaid, was also so sworn by me.
Witness my hand the date before written.
WILLIAM H. HOUGHTELIN, *Clerk.*

At an election held by the electors of Adams county, in companies B and G, of the 138th regiment Pennsylvania soldiers, at camp near Front Royal, Virginia, there were thirty-three votes cast for Congress, of which William H. Koontz received thirty-two votes, and Alexander H. Coffroth received one vote. Thirty-three votes were cast for assembly, of which David M. Myers received thirty-one votes, and James H. Marshall received two votes. Thirty-three votes were cast for commissioner, of which John Day received thirty-three votes. Thirty-three votes were cast for director of the poor, of which Ephraim D. Newman received thirty-one votes, and John N. Graft received two votes. Thirty-three votes were cast for auditor, (three years,) of which Isaac N. Durboraw received thirty-two votes, and Joseph Burkee received one vote. Thirty-three votes were cast for auditor, (two years,) of which Joseph Kepner received thirty-one votes, and Jacob Hull received two votes.

A true return of the election held as aforesaid, on the eleventh day of October, one thousand eight hundred and sixty-four.

GEORGE A. EARNSHAW,
1st Lieut. Company B, 138th Reg. Penn. Volunteers,
JACOB W. CRESS,
1st Lieut. and Adjutant 138th Reg. Penn. Volunteers,
GEORGE W. MULLEN,
2d Lieut. Company G. 138th Reg. Penn. Volunteers,
Judges of Election.

Attest:

WM. H. HOUGHTELIN,
Company B, 138th Reg. Pennsylvania Volunteers,
JACOB BUSHEY,
Company G, 138th Reg. Pennsylvania Volunteers,
Clerks.

GETTYSBURG, *February* 17, 1865.

I do hereby certify that the foregoing is a true copy, taken from the original, in the office of the prothonotary of Adams county, Pennsylvania.

[SEAL.] JACOB BUSHEY, *Prothonotary.*

R. G. McCREARY, *Commissioner.*

George W. Mullen sworn:

I reside in Bendenville, Menallen township, Adams county. I am twenty-nine years of age. I was in the military service of the United States, and in October, 1864, I was second lieutenant in company G of the 138th regiment Pennsylvania volunteers. I was an officer of the election held at Front Royal, Virginia, October 11, 1864, by companies B and G of said regiment. I was one of the judges of said election. The two companies voted together at one poll. It was our belief that the election must be held by commissioned officers, the same as at the election held by us when at the Relay House, in Maryland, in 1862; that was our impression, and the papers had come on just before the election, perhaps the day before. I was the only commissioned officer with company G at that time; and the only commissioned officers of company B then with that company were Lieutenant Earnshaw and Lieutenant Cress, then adjutant of the regiment. The election in the two companies was held jointly, in order to have enough commissioned officers to hold the election; the officers consulted together and concluded that was the best way. The men whose names are embraced in the return made by us of that election—a copy of which has been given in evidence—so far as they belonged to company G, were residents of Adams county; their names are Amos Starry, William A. Pitzer, John C. Shriver, John G. Scott, Charles P. K. Walter, Isaac E. Cook, David Slaybaugh, William F. Cline, Henry C. Sadler, Forrest Linah, James McGrail, Emanuel G. Eppleman, George W. Routzong, Henry G. Conrad, George W. Mullen, Jacob Bushey. The election was held, so far as I could judge, with as much care as elections at home. The proof of qualifications of voters was required; we required proof of payment of taxes, and some votes were rejected because the men had not certificates to prove the payment of taxes.

[The sitting member and his counsel object to this testimony for the reason that the name of the witness is not contained in the list furnished by the contestant, and therefore had no notice that witness would be called, and decline cross-examining the witness.]

GEO. W. MULLEN.

R. G. McCREARY, *Commissioner.*

George A. Earnshaw sworn:

I reside in Gettysburg, Adams county, Pennsylvania. I am twenty-eight years of age. I was in the military service of the United States on the 11th October, 1864. I was first lieutenant in company B, 138th regiment Pennsylvania volunteers. I was one of the judges of the election held on that day in camp at Front Royal, Virginia. Companies B and G voted together. They were so instructed by Colonel McClennan and —— Wing, the commanding officers of the regiment.

(Hon. A. H. Coffroth, the sitting member, here objects to this testimony, for the reason that witness cannot testify to any instructions from his superior officers, or to any reasons given for holding the election as they did.)

WITNESS. We received our instructions from the colonel commanding the regiment. He directed that the companies from each county should go together and hold their election. I, with the other judges of the election, received the instructions as to the companies from Adams county, and proceeded accordingly. There were two companies from Adams county; they were companies B and G. There were three companies, viz., F, D, and E, from Bedford county: these companies, I think, gave a majority for General Coffroth. I know he had a majority in some of the companies. They voted in the same manner as we did; that is, all together. The judges were all commissioned officers. At the election in 1862 our instructions required the election to be held by commissioned officers, and we acted under the belief that this election must also be held by commissioned officers. Company G had but one commissioned officer present, and company B had but two present, including Lieutenant Cress, who was adjutant of the regiment. The following-named men who voted, and whose names appear on the official return here shown to me, were residents of Adams county; that is, in company B, Amos M. Detrick, Israel J. Miller, Basil H. Norris, Winfield Cover, William Hentzelman, Christian Byers, George A. Ernshaw, William Houghtelin, John Miller, Jacob W. Cress, Thomas Crouse, Ephraim Miller, Isaac H. Moore, Elias Wreight, John Orr, John Bormuth, Jacob H. Biesecker; also, of company G, Amos Starry, Wm. A. Pitzer, John C. Shriver, Charles P. K. Walker, Isaac E. Cook, David Slaybaugh, Wm. F. Cline, Henry C. Sadler, Forrest Linah, James McGrail, Emanuel G. Eppleman, George W. Routzong, Henry G. Conrad, George W. Mullen, Jacob Bushey. I do not now remember John G. Scott, whose name appears on the list, nor his residence. I know there was a man of that name in the company, but never knew where he lived exactly. The election was conducted with fairness and care. Every man was required to have tax receipts, or prove their right to vote on age. Some were excluded from voting because they had not tax receipts, and whose tax receipts afterwards came for them.

Cross-examined by Hon. A. H. Coffroth, the sitting member:

I belonged to company B; it was a regularly organized company; so, also, was company G. Both companies voted at the same poll; had the same set of election officers for both companies. The election was opened in the forenoon; don't remember the hour. I think the ballots were received and deposited in a cigar box; we had but one box; put all the tickets in the same box for both companies. Cannot tell how long the poll was kept open; the regiment was under marching orders at the time. There were seventeen men of company B voted, including the adjutant, and sixteen men of company G. I think the election was held in headquarters of company G. I knew most of the men before they went into the army. I was personally acquainted with a majority of the men before they entered the army and before they came to the rendezvous; I recruited a great many of them. The Bedford county companies, D, E, and F, were also separate and regularly organized companies. They had been in

the service over two years. They held their election in camp, at one of the officer's tents; I know they were ordered to do so, and did vote together, though I do not remember of seeing them. I believe I saw them voting, but was not in the tent. I know they did vote at the same polls. I do not know that they put the votes in the same box. I do not know or remember of any member of the company who did not offer to vote. I think they all voted who were entitled to vote. Some were rejected in consequence of not having their tax receipts.

Re-examined by D. McConaughy, esq., for contestant:

The colonel directed the companies from each county to consolidate, and I think I saw them draw up the papers in that way. I saw some of the Bedford county men go to vote, but did not see them deposit their ballots.

GEO. A. EARNSHAW.

R. G. McCREARY, *Commissioner.*

Jacob W. Cress sworn:

I reside in Straban township, Adams county; am twenty-eight years of age; I was in the military service of the United States on the 11th October, 1864; I acted as one of the judges of the election; I was lieutenant in company B, 138th regiment Pennsylvania volunteers, and was at that time adjutant of the regiment; I am the same person whose name is subscribed to the election returns, as lieutenant and adjutant.

(Hon. A. H. Coffroth here objects to any testimony by the witness as to instructions given by his superior officer in regard to the manner of holding the election.)

WITNESS. The officers assembled at the colonel's headquarters to receive instructions. After consultation the officers decided to hold the election by counties; that is, to open one poll for each county represented in the regiment. We acted under the belief that the election must be held the same way as in 1862, and that it required commissioned officers to hold the election. The colonel was present and instructing as to the manner of holding the election; the election papers were prepared at regimental headquarters; the election in companies B and G was held accordingly.

(The list of voters in companies B and G as filed in the office of the prothonotary of Adams county here shown to and examined by witness.) I am personally acquainted with every man whose name is on this list, and know that they were all residents of Adams county at the time of that election, on the 11th October, 1864. I am personally acquainted with John G. Scott, and know him to be a resident of Franklin township, Adams county, at that time. The polls were open six or seven hours; the election was conducted with fairness and all possible care.

Cross-examined by Hon. A. H. Coffroth, the sitting member:

Companies B and G were each regularly organized and distinct companies; they were not detachments of companies; they were two regularly organized companies and not detachments absent from their companies; the men who voted that day belonged to two distinct and regularly organized companies present in camp, and were not detachments from companies. The captain of company G was absent wounded, and the captain of company B was also absent, I think sick in hospital. The body of the companies—that is, all the men marked on the rolls as present for duty—were in camp the time of the election, there were some details absent; the organization was present; the second lieutenant of company B was absent, wounded, at the time. The officers of the election were sworn at the polls. The first lieutenant of company G was absent sick in hospital at that time.

Re-examined by D. McConaughy esq., attorney for contestant:

I was first sworn by Mr. Houghtelin, one of the clerks, and then I swore all the other officers of the election.

JACOB W. CRESS.

R. G. McCREARY, *Commissioner.*

It is admitted that the following is a correct copy of the return of the election held October 11, 1864, in company I of the 210th regiment Pennsylvania volunteers, on file in the office of the prothonotary of Adams county, Pennsylvania:

No. 27.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Adams and Franklin counties, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company I of the 210th regiment of Pennsylvania volunteers, held at ———: Edward Reese, Charles W. King, and Joseph Kunkle being duly elected judges of the said election, and John C. Martin and Henry Mayer being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of judges and clerks.

We, Edward Reese, Charles W. King, and Joseph Kunkle, judges of this election, and John C. Martin and Henry Mayer, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse, in conducting the same.

EDWARD REESE,
CHARLES W. KING,
JOSEPH KUNKLE,
Judges.
JOHN C. MARTIN,
HENRY MAYER.
Clerks.

I hereby certify that the aforesaid Edward Reese, Charles W. King, and Joseph Kunkle, judges, and John C. Martin and Henry Mayer, clerks, were, before proceeding to take any votes at said election, first duly sworn, as aforesaid, by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

———— ————,
Judge of said Election.

I certify that Edward Reese, judge of election aforesaid, was also duly so sworn, according to law, by me.

Witness my hand the date above written.

JOHN C. MARTIN,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid company headquarters of company I, 210th Pennsylvania volunteers, to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

EDWARD REESE,
CHARLES W. KING,
JOSEPH KUNKLE,
Judges of said Election.

Attest:
JOHN C. MARTIN,
HENRY MAYER,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

Names.	Residences.
Joseph Kunkle	Adams county, Franklin township.
Henry Mayer	Adams county, Germany township.
D. L. Michaels	Fulton county, Licking Creek township.
Charles J. Sefton	Adams county, Hamiltonban township.
Daniel Miller	Adams county, Liberty township.
Edward Reese	Adams county, Hamiltonban township
Emory Hentzel	Adams county, Franklin township.
Charles Gilbert	Adams county, borough of Gettysburg.
Wilson E. Naylor	Adams county, Menallen township.
George Andrew	Adams county, Hamiltonban township.
Adam Frey	Adams county, Hamiltonban township.
Franklin Stransbaugh	Adams county, Hamiltonban township.
Jacob Houdeshell	Adams county, Hamiltonban township.
John Pervarel	Franklin county, Quincy township.
Samuel Robinson	Franklin county, Quincy township.
Francis McKenna	Franklin county, Chambersburg, south ward
David C. Summers	Franklin county, Quincy township.
Daniel J. Hepfer	Franklin county, Quincy township.
Patrick Gibnay	Adams county, Germany township.
Martin L. Summers	Franklin county, Quincy township.
George W. Knell	Franklin county, Quincy township.
Richard B. Carson	Franklin county, Quincy township.
Adam Histe	Franklin county, Quincy township.
John Shank	Adams county, Freedom township.
James B. Boyd	Adams county, Freedom township.
Charles W. King	Adams county, Hamiltonban township.
Henry Oyler	Franklin county, Quincy township.
Adam Fontz	Adams county, borough of Gettysburg.
John McPherson	Franklin county, Quincy township.
Joseph Kiut	Adams county, Hamiltonban township.
Smith King	Franklin county, Quincy township.
George W. Swank	Franklin county, Quincy township.
John Ogden	Adams county, Highland township.
George A. Krise	Adams county, Liberty township.
William A. Martin	Adams county, Liberty township.
John C. Martin	Adams county, Liberty township.
William F. Thompson	Bradford county, Towanda township.
Peter E. Rosenberger	Franklin county, Guilford township.
Peter J Weaver	Columbia county, Fishing Creek township.
Amos F. Savage	Columbia county, Fishing Creek township.
Wilson Alberson	Columbia county, Fishing Creek township.
Amos Chronister	Adams county, Huntingdon township.
Anthony Wax	Perry county, Carroll township.
Thompson Anderson	Adams county, Hamiltonban township.
Sylvester Saylor	Adams county, Hamiltonban township.
Jesse C. Tate	Columbia county, Bloom township.
Edmund W. Meisenhelden	Adams county, Hamilton township.
Ernst Eckert	Franklin county, north ward, Chambersburg.
Peter Helfrich	Franklin county, north ward, Chambersburg.
Perry J. Tate	Gettysburg.
Joseph Macklay	Adams county, Hamiltonban township.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of Adams and other counties, State of Pennsylvania, voting at said election, amounts to fifty-one.

Witness our hands the day and year aforesaid.

EDWARD REESE,
CHARLES W. KING,
JOSEPH KUNKLE,
Judges of the Election.

Attest:
J. C. MARTIN,
HENRY MAYER,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified electors of Adams county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had nineteen votes; Alexander H. Coffroth had nine votes.

Franklin county, Pennsylvania, men voting at these polls:

For Congress, Alexander H. Coffroth had nine votes; William H. Koontz had eight votes.

By electors of Columbia county, Pennsylvania:

For Congress, Colonel Victore E. Rollet had three votes.
For assembly, William H. Jacoby had four votes.
For sheriff, Samuel Snyder had three votes.
For commissioner, Allen Mann had three votes.
For auditor, Daniel Snyder had two votes.

Bradford county, Pennsylvania, by the electors of company I, 210th Pennsylvania volunteers:

For Congress, Ulysses Mercur had one vote.

Adams county:

For representative in the house of representatives of Pennsylvania, David M. Myers had seventeen votes; James H. Marshall had eleven votes.

Votes by the qualified voters of Franklin county, Pennsylvania:

For representative, J. McDowel Sharpe had nine votes; William S. Mitchell had nine votes; Alexander K. McClure had seven votes; Samuel Roath had seven votes.

Bradford county, Pennsylvania:

For representative in the house of representatives of Pennsylvania, Joseph H. Marsh had one vote; Lorenzo Grinnell had one vote.
For commissioner, John Beardsley had one vote.
For auditor, Robert Mason had one vote.

Perry county, Pennsylvania:

For the senate of Pennsylvania, Kirk Haines had one vote; Lewis W. Hall had one vote.

For assembly, Samuel Roath had one vote; Alexander K. McClure had one vote.

For associate judge, Jacob Shively had one vote.
For prothonotary, Robert Brannon had one vote.
For coroner, Henry P. Lightner had one vote.
For director of poor, John Soule had one vote.
For coroner, William Hays had one vote.
For auditor, William Kipp had one vote.

Votes of Franklin county, Pennsylvania:

For commissioner, John Armstrong had nine votes.

For director of poor, David J. Skinner had nine votes.
For auditor, Montgomery Martin had nine votes.
For president judge, Francis M. Kimmel had nine votes.
For commissioner, Hugh B. Davidson had seven votes.
For director of poor, John H. Criswell had seven votes.
For auditor, Morrow B. Skinner had seven votes.
For president judge, Alexander King had eight votes.

For Franklin county, Pennsylvania:

For coroner, Victor D. Miller had nine votes; Hiram E. Wertz had seven votes.

For county commissioner of Adams county, Pennsylvania, John Day had nineteen votes; Abraham Krise had nine votes.

For director of the poor, Ephraim D. Newman, had nineteen votes; John N. Graft had nine votes.

For county auditor, Isaac N. Durboraw had nineteen votes; Joseph Kepner had nineteen votes: Joseph Burkee had nine votes; Jacob Hall had nine votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

JOHN C. MARTIN,
HENRY MAYER,
Clerks.

Return of the election.

At an election held by the electors of Adams county in company I, of the 210th regiment of Pennsylvania soldiers, at or near Weldon railroad, camp headquarters, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast twenty-eight votes for representative in the House of Representatives in the Congress of the United States; of which William H. Koontz had nineteen votes; Alexander H. Coffroth had nine votes.

For representative in the house of representatives of Pennsylvania, there were cast twenty-eight votes; of which David M. Myers had seventeen votes; James H. Marshall had eleven votes.

For the office of county commissioner there were cast twenty-eight votes; of which John Day had nineteen votes; Abraham Krise had nine votes.

For the office of director of the poor there were cast twenty-eight votes; of which Ephraim D. Newman had nineteen votes; John N. Graft had nine votes.

For the office of county auditor there were cast twenty-eight votes; of which Joseph Kepner had nineteen votes; Isaac N. Durboraw had nineteen votes; Joseph Burkeehad nine votes; Jacob Hall had nine votes.

A true return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid—Company I, 210th regiment Pennsylvania soldiers.

EDWARD REESE,
CHARLES W. KING,
JOSEPH KUNKLE,
Judges of the said Election.

Attest:
J. C. MARTIN,
HENRY MAYER,
Clerks.

GETTYSBURG, *February* 17, 1865.

I do hereby certify that the foregoing is a true copy of the original in the office of the prothonotary of Adams county, Pennsylvania.

JACOB BUSHEY, *Prothonotary.*

R. G. MCCREARY, *Commissioner.*

Edward Reese sworn:

I reside in Hamiltonban township, Adams county, Pennsylvania: I am thirty-six years of age; I was in the service of the United States in October, 1864; I was a private in company I, of the 210th regiment Pennsylvania volunteers. I was one of the judges of the election held on the 11th October, 1864, in said company, in front of Petersburg, Virginia: the other judges were Charles W. King and Joseph Kunkle. The clerks were John C. Martin and Henry Moyer, the judges and clerks were all sworn before holding the election. I was sworn by John C. Martin, and John C. Martin was sworn by me. The other judges, King and Kunkle, and the clerk, Moyer, were all sworn by John C. Martin. Charles W. King lived in Hamiltonban township, and Joseph Kunkle lived in Hamiltonban or Franklin township, both in Adams county. John C. Martin lived at that time in Hamiltonban township, but moved this spring to Franklin county; he came to Millerstown to vote; he lived at Martin's Mill, near Fountaindale. The tickets cast at that election held by us, by men belonging to different counties, were kept in separate boxes, or rather in tin cups, used instead of boxes. At the time the election officers were sworn Lieutenant Sefton was present, but declined acting as an officer of the election. Captain Tate was on picket, and got in just in time to vote.

The sitting member and his counsel decline cross-examining this witness, for the reason that his name is not included in the notice furnished by contestant, and therefore no notice was had by sitting member or his counsel that the witness would be called.

EDWARD REESE.

R. G. McCREARY, *Commissioner.*

Charles J. Sefton sworn:

I reside in Fairfield, Hamiltonban township, Adams county; I am thirty-two years of age; I was in the military service of the United States on the 11th day of October, 1864; I was first lieutenant in company I, of the 210th regiment Pennsylvania volunteers; I was at the place where the election was held in said company, October 11, 1864; it was held in the officers' quarters in front of Petersburg, Virginia. I declined acting as an officer of the election, for the reason that I feared that, being an officer, some of the men might think I would interfere with their voting, and therefore I advised that the privates should hold the election. The election was held by privates. The judges were Edward Reese, Charles W. King, and John C. Martin was a judge or a clerk; Henry Moyer was a clerk, and Joseph Kunkle was a judge or a clerk. The officers were sworn in my presence. John C. Martin swore Edward Reese, and Edward Reese swore John C. Martin, and then the other officers were also sworn by John C. Martin. The polls opened in the morning, and were kept open until late in the afternoon—at least two-thirds of the day they were kept open. John C. Martin was a merchant before he went into the service; his store was in Hamiltonban township, but he lived with his father across the creek in Liberty township; he has lately removed to Franklin county; I was at the officers' quarters all day where the election was held; I remained to keep order; the captain was on picket; I think the votes of the men who resided in different counties represented in the company were kept in separate boxes, or rather tin cups, which were used as boxes. I know they were careful to inquire what county the men belonged to, so as to get them in their proper place. John C. Martin being the best writer, did most of the writing after the voting was done; before that, I did not take notice that one did more than the other.

Cross-examined by Hon. A. H. Coffroth, the sitting member:

We opened the polls at the time mentioned in the books; we looked at the books to see the hour; can't now say for certain whether it was seven or nine

o'clock: I heard the oath administered to the officers; it was in our quarters; it strikes me they were sworn by the book, but am not positive about that; I was in and about the quarters all day; I stood by looking at them taking in tickets; I cannot say I saw every man vote whose name is on the list; I may have been called to the rear, and some may have voted in my absence; but I made it my business to be in my quarters most of the time; I think some of the election officers remained while others went to their meals in their quarters. I think the cups which were used to receive the ballots were covered up, and some of the officers remained while others went to their meals. The ballots were deposited in the ordinary tin cups which the soldiers have for their coffee-cups; they had no lids to them.

It strikes me that the judges and clerks consulted, and said they would send all the votes to Adams county, but I am not positive about this. I think the men all belonged to company I; I have no doubt of it; some of them lived in different counties; there were printed ballots used; the judges and clerks sat at a table in our quarters, and the men would come up and present their ballots, and the officers would inquire of them as to their right to vote, and if there was any doubt about it they were sworn, even if they thought he was entitled to vote; the ticket was put into the tin cup; as soon as the polls were closed, they commenced counting out the ballots. The tickets were taken out one at a time and read, and the clerks took the name down. When a man came up to vote, they asked him what county he belonged to. I think they have the tin cups labelled with the names of the different counties.

CHARLES J. SEFTON.

R. G. McCREARY, *Commissioner.*

APRIL 24, 1866.

Perry J. Tate sworn:

I reside in Gettysburg, Adams county; I am thirty-five years of age. I was in the military service of the United States in October, 1864; I was captain of company I of the 210th regiment Pennsylvania volunteers. On the 11th October, 1864, when the election was held in the company, I was on the picket line; I voted in the evening. I know the tickets voted by men of the company whose residence was in different counties were placed and kept in separate vessels; they used tin cups and cans for ballot-boxes.

Cross-examined by Wm. McClean, esq:

I do not recollect how many vessels there were; don't recollect positively how many counties were represented in the company; I think five or six.

PERRY J. TATE.

R. G. McCREARY, *Commissioner.*

It is admitted that in addition to the ballots cast by men belonging to Adams county, in company I, 210th regiment, and returned with the papers to the office of the prothonotary of Adams county, to wit, nineteen (19) votes for William H. Koontz, and nine (9) votes for Alexander H. Coffroth, there were returned to said office seventeen (17) other ballots, not belonging to Adams county men, of which eight (8) votes were cast for William H. Koontz, and nine (9) for Alexander H. Coffroth.

R. G. McCREARY, *Commissioner.*

It is admitted that the following is a correct copy of the poll-book, tally-papers, and returns of the election held in company C of the 202d regiment Pennsylvania volunteers at White Plains, Virginia, October 11, 1864, as filed in the office of the prothonotary of Adams county, Pennsylvania.

And it is agreed that the votes therein returned as cast for *William* H. Coffroth were intended for *Alexander* H. Coffroth.

And it is further admitted that the phrase "Judge of said election" in this copy, where it follows the signature of John F. Blair, was in the original printed blank in the *plural—judges* of said election; and the letter "s" is erased from the word judges by striking a pen through it.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Adams county, State of Pennsylvania, being in actual military service, under the requisition of the President of the United States, in company C of the 202d regiment of Pennsylvania volunteers, held at White Plains, Virginia; and John F. Blair, first lieutenant, being duly elected judge of the said election, and Abraham King and Francis A. Noel being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

I, John F. Blair, first lieutenant, judge of this election, and Abraham King and Francis A. Noel, clerks thereof, do each severally swear that we will duly perform the duties of judge and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

JOHN F. BLAIR, *Judge.*
ABRAHAM KING,
FRANCIS NOEL.
Clerks.

I hereby certify that the aforesaid John F. Blair, judge, and Abraham King and Francis A. Noel, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me, John F. Blair.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

JOHN F. BLAIR,
Judge of said Election.

I certify that John F. Blair, judge of election aforesaid, was also duly so sworn according to law by me.

Witness my hand the date above written.

ABRAHAM KING,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten did select the aforesaid ——— to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

J. F. BLAIR.
Judge of said Election.

Attest:
ABRAHAM KING,
FRANCIS A. NOEL,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

Names.	Residences.
John Carbaugh	Adams county, Oxford township.
John Dietrick	Adams county, Oxford township.
Jeremiah Blair	Adams county, Mount Pleasant township.
Wesley Reary	Adams county, Straban township.
Jacob Hupfer	Adams county, Oxford township.
Abraham King	Adams county, Straban township.
John J. McKinney	Adams county, Conowago township. (Second lieutenant.)
Cornelius Miller	Adams county, Berwick borough.
John J. Clapsaddle	Adams county, Mount Pleasant township.
Samuel Jacobs	Adams county, Berwick township.
Hiram Kepner	Adams county, Berwick township.
Joseph Miller	Adams county, Oxford township.
John Smith	Adams county, Oxford township.
Elias Roth	Adams county, Oxford township.
George C. Riedle	Adams county, Mount Joy township.
Charles Bunty	Adams county, Conowago township.
Jacob J. Diehl	Adams county, Mount Pleasant township.
George H. Bricker	Adams county, Tyrone township.
Daniel Small	Adams county, Conowago township.
Anthony Clunk	Adams county, Union township.
John F. Blair	Adams county, Oxford township. (First lieutenant.)
Adam L. McKinney	Adams county, Conowago township.
James W. Ford	Adams county, Straban township.
Richard Wolf	Adams county, Mount Pleasant township.
Francis A. Noel	Adams county, Mount Pleasant township.
Ephraim Bair	Adams county, Mount Pleasant township.
George Kesselring	Adams county, Berwick borough.
John B. Shinner	Adams county, Berwick township.
Daniel L. Lightner	Adams county, Berwick township.
Frederick Shanabrough	Adams county, Conowago township.
Leo Staub	Adams county, Oxford township.
John Britcher	Adams county, Conowago township.
Jess. Wolfer	Adams county, Oxford township.
Henry Weaver	Adams county, Union township.
Francis Overbaugh	Adams county, Conowago township.
William H. Wegner	Adams county, Hamilton township.
Adam Carl	Adams county, Mount Pleasant township.
Michael McCaden	Adams county, Oxford township.
Lewis Weaver	Adams county, Mount Pleasant township.
Jacob Low	Adams county, Oxford township.
David Stonesifer	Adams county, Mount Pleasant township.
Elexius Grim	Adams county, Oxford township.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of Adams county, State of Pennsylvania, voting at the said election, amounts to forty-two.

Witness our hands the day and year aforesaid, October 11, 1864.

JOHN F. BLAIR,
Judge of the Election.

Attest:

ABRAHAM KING,
FRANCIS A. NOEL,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of ——— county, State of Pennsylvania.

For representative in the House of Representatives of the United States, General Alexander H. Coffroth had fifteen votes; William H. Koontz had twenty-seven votes.

For representatives in house of representatives of Pennsylvania, James H. Marshall had fifteen votes; David M. Myers had twenty-seven votes.

For county commissioner, Abraham Krise, of P., had fifteen votes; John Day had twenty-seven votes.

For director of the poor, John N. Graft had fifteen votes.

For county auditor, Joseph Burkee (three years) had fifteen votes; Jacob Hull (two years) had fifteen votes; Isaac N. Durborrow (three years) had twenty-seven votes; Joseph Kepner (two years) had twenty-seven votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

Witness our hands the day and year aforesaid, this the 11th day of October, A. D. 1864.

ABRAHAM KING,
FRANCIS A. NOEL,
Clerks.

Return of the election.

At an election held by the electors of Adams county, in company C, of the 202d regiment of Pennsylvania soldiers, at White Plains, on the second Tuesday of October, A. D. one thousand eight hundred and sixty four, there were cast—

For representative in the House of Representatives in the Congress of the United States, forty-two votes; of which William H. Coffroth had fifteen votes; William H. Koontz had twenty-seven votes.

For representatives in the house of representatives of Pennsylvania there were cast forty-two votes; of which James H. Marshall had fifteen votes; David M. Myers had twenty-seven votes.

For the office of county commissioner there were cast forty-two votes; of which Abraham Krise, of P., had fifteen votes; John Day had twenty-seven votes.

For the office of director of the poor there were cast forty-two votes; of which Colonel John N. Graft had fifteen votes; Ephraim D. Newman had twenty-seven votes.

For the office of county auditor there were cast forty-two votes; of which Joseph Burkee (three years) had fifteen votes; Jacob Hull (two years) had fifteen votes; Isaac N. Durboraw (three years) had twenty-seven votes; Joseph Kepner (two years) had twenty-seven votes.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

ANTHONY W. KLUNK, Co. C, 202d Regiment.
JOSEPH MILLER, Co. C, 202d Regiment,
WESLEY A. REARY, Co. C, 202d Regiment,
JOHN F. BLAIR, First Lieutenant,
Judges of said Election.

Attest:
ABRAHAM KING,
FRANCIS A. NOEL,
Clerks.
(Tickets enclosed.)

GETTYSBURG, *February* 17, 1865.

I do hereby certify that the foregoing is a true copy, taken from the original in the office of the prothonotary of Adams county, Pennsylvania.
[SEAL.]
JACOB BUSHEY, *Prothonotary.*

Joseph Miller sworn:

I reside in Oxford township, Adams county, Pennsylvania. I am twenty-six years of age. I was in the military service of the United States on the 11th of October, 1864, in company C, of the 202d regiment of Pennsylvania volunteers. I was at the election held in the company that day at White Plains, Virginia; it was held in a tent in camp. I was one of the inspectors of the election—one of the three officers who held the election besides the clerks; the other two were John F. Blair and Anthony W. Klunk. The clerks were Abraham King and Francis A. Noel. John F. Blair was the only commissioned officer who acted as an officer of the election. Captain Pfeiffer was absent on court-martial duty at Harrisburg. The officers of the election were all sworn. Abraham King, one of the clerks, swore John F. Blair, and then F. Blair swore the other officers. Wesley A. Reary did not act at all as an officer of the election. I do not know how the name of Wesley A. Reary came to appear on the return, unless it was put there as a witness.

Hon A. H. Coffroth, sitting member, and his counsel decline cross-examining the witness, for the reason that his name is not in the list of witnesses furnished by the contestant, and therefore they had not notice of his being called as a witness, and object to the testimony of the witness for same reason.

JOSEPH MILLER.

R. G. MCCREARY, *Commissioner.*

Abraham King sworn:

I reside in Straban township, Adams county, Pennsylvania. I am twenty-six years old. I was in the military service of the United States on the 11th of October, 1864, in company C, of the 202d regiment Pennsylvania volunteers. I was at the election held that day in camp at White Plains, Virginia Francis A. Noel and myself were the clerks of the election. John F. Blair was judge, and the inspectors were Anthony W. Klunk and Joseph Miller. We called the officers, as we do at home, judge and inspectors. I swore John F. Blair, and he swore all the other officers. They were all sworn before proceeding to discharge their duties. I do not know why the letter "s" was crossed out from the word "judges," where it occurs in the original printed form of the return, after the signature of John F. Blair, unless it was because he considered the other two officers, Anthony W. Klunk and Joseph Miller, *inspectors* and not judges. The letter "s" was struck out by John F. Blair. I swore John F. Blair to the oath contained in the poll-book, and he (John F. Blair) swore Anthony W. Klunk and Joseph Miller by the same oath. The manuscript part of the filling up of the return—that is, the blanks—is in my handwriting. After being filled up, the return was signed by Messrs. Klunk, Miller, and Blair, and also by me and Noel, as clerks. I cannot say how the name of Wesley A. Reary came to appear on the return, unless it was put there as a witness. He did not act at all as an officer of the election.

Cross-examined by Hon. A. H. Coffroth:

I was present and saw and heard the other officers sworn by John F. Blair. He administered the same kind of oath to them that I administered to him. I swore Lieutenant John F. Blair, and he swore all the other officers. I did not sign the "oaths of the judges and clerks;" my name is written in the oath, but I did not sign it; my name appears as if attached to that oath, but I did not

write it. I signed the certificate that John F. Blair was sworn by me as judge of the election. I think I signed it before we commenced to hold the election, but I cannot say positively. We had the poll-book before us when we opened the election. I wrote the names of electors voting originally in this poll-book. I am not able to say why the other officers did not sign either the oath or certificate. They were present and took part in the election; but I am not able to say why they did not sign the papers. John F. Blair, Anthony Klunk, Joseph Miller, Francis A. Noel, and myself were all sworn, and took part as officers in the election. I clerked the election. I had one poll-book, and the other clerk had the other. John F. Blair—I can hardly tell what he did. I think one of the inspectors received the tickets. I cannot say which one. We had the polls open from about twelve o'clock until sundown. We had a hat for a ballot-box; cannot tell whose hat it was. After the company had all voted in the evening we closed the polls. The judge of the election made it known at the tent, or spoke and said that the election would now be closed. One of the inspectors read off the tickets, I cannot tell which one. I am not able to say what the inspector did with the tickets after he read them off. After we had everything filled up, the judge of election took the poll-book in charge. I don't know what he did with it. I do not know why Reary put his name there unless it was as witness. Klunk and Miller signed, I suppose, because they were officers of the election. I voted at the presidential election. We held that election at Manassas Junction. I was clerk also of that election. Klunk and Miller were the inspectors at the election held at White Plains in October. I do not know why Wesley A. Reary's name appears to the returns, unless it was as a witness; he was not an officer of the election. I signed the return as one of the clerks attesting it—attesting the signatures. I think I remember at the time we closed up of the judge going down to Wesley A. Reary to sign as a witness. This idea was not suggested to me by some one else—not at all. I think Wesley A. Reary signed the poll-book, after the election was over, when the book was filled up. I cannot say if he signed in the presence of Klunk, Miller, and Blair, or not.

Re-examined by D. McConnaughy, esq.:

I signed the certificate to the return, and when I signed it the name of Wesley A. Reary was not to it. I have no recollection of having seen the name of Wesley A. Reary to the return until to-day.

Cross-examined by William McClean, esq.:

I saw the officers sign it, but have no recollection of W. A. Reary signing it

Re-examined by D. A. Buehler, esq.:

Wesley A. Reary, whose signature has been spoken of, has removed to the west, and is not now in this county.

ABRAHAM KING.

R. G. McCREARY, *Commissioner.*

Leo J. Staub sworn:

[Hon. A. H. Coffroth, the sitting member, objects to this witness because his name is not on the list of witnesses furnished by contestant.]

Witness. I saw Lieutenant John F. Blair a few weeks ago; he was then, as he informed me and as I saw from advertisements, keeping store in Martinsburg, Virginia.

LEO J. STAUB.

R. G. McCREARY, *Commissioner.*

Anthony W. Klunk sworn:

I reside in Mount Pleasant township, Adams county. I am forty-one years of age. I was in the military service of the United States on the 11th of October, 1864, in company C, of the 202d regiment of Pennsylvania volunteers.

I was an officer of the election held in that company at White Plains, Virginia, October 11, 1864. Lieutenant John F. Blair was judge, myself and Joseph Miller were what was called inspectors, and Abraham King and Francis A. Noel were clerks. We called the officers by the same names we would do at home—that is, one judge, two inspectors, and two clerks. John F. Blair was first sworn by Abraham King, and then John F. Blair swore me and Abraham King and Joseph Miller and Francis Noel. We were sworn by the oath in the poll-book before the officers proceeded to hold the election No one took any part in holding the election except the officers I have named. The election was held with care and fairness. The officers signed the certificate to the return after the voting was closed and the papers filled up. I have no knowledge of any one else than the officers signing it. I have no idea how the name of Wesley A. Reary came to be on the return. He took no part in holding the election. It was held by me and Joseph Miller, with Lieutenant John F. Blair and the two clerks I have named.

Cross-examined by Mr. McClean:

I do not know who took charge of the poll-books. Lieutenant John F. Blair had them after we were done with them, but what he did with them I am not able to tell. When the men came up with their ballots the inspector received them; then they were put into the hat which was used for a ballot-box. Nearly the whole company were on picket duty in the forenoon of that day. The poll was opened in the afternoon directly after dinner. I cannot tell exactly the hour, but it was between twelve and one o'clock. The first thing that was done was the poll-book was brought and the officers sworn; and after that they commenced voting. There was no proclamation made before the opening of the polls; there was no proclamation made one hour before closing the polls. We had but one judge of this election. I saw the tickets in a hat after the polls were closed, and I handed the tickets to Mr. Miller as I took them out, and he read them off and gave them to Lieutenant Blair. According to the place we had to hold the election, I thought the election was conducted right, according to order of our superior. I do not refer to the qualification of voters when I say that the election was conducted carefully. The orders we had we received from Lieutenant Blair; he had the orders from the superior, and the orders we had were to try and hold the election according to law.

Anthony W. Klunk re-examined by D. McConnaughy, esq.:

We followed out our instructions as closely as we could. As the men voted, I, as one of the inspectors, received the ballots and put them in the hat. I did not know at the time of that election that the three officers holding the election were, by the soldiers' law, called judges. I learned it afterwards at the presidential election.

Cross-examined by Wm. McClean, esq.:

I do not know why we did not sign the oaths. We had no orders to sign them.

ANTHONY W. KLUNK.

R. G. McCREARY, *Commissioner*.

Francis A. Noel sworn:

I reside in Mount Pleasant township, Adams county, Pennsylvania—am thirty-three years of age. I was in the United States military service in company C, 202d regiment Pennsylvania volunteers, on the 11th of October, 1864. I acted as a clerk of the election held that day in the company, at White Plains, Virginia; the other clerk was Abraham King. Lieutenant John F. Blair was one of the judges, and Anthony Klunk and Joseph Miller were the other two. I do not recollect whether they were called judges, or one judge and the

other two inspectors. All the officers were sworn before proceeding to hold the election. First, Lieutenant Blair was sworn by Abraham King, and then Mr. Blair swore Anthony Klunk and myself, and King and Miller. I cannot remember the words of the oath. After being sworn, the officers I have named held the election. Abraham King kept the one poll-list and I kept the other. I signed the certificate of return, attesting it as clerk. I do not remember of seeing the other officers signing except Abraham King, who sat beside me. No one else than the officers named took part in holding the election, that I know of. Wesley A. Reary took no part in holding the election.

Cross-examined by Hon. A. H. Coffroth, the sitting member:

I did not see W. A. Reary sign his name. I never saw it before until now. I saw no one sign except Mr. King, who sat at my side. I left the poll-books in the hands of Mr. King and Lieutenant Blair. I can testify that we carried on the election very strictly and fairly, as regards both parties, and as regards voters—I mean as regards legal voters—and giving every man a chance to vote.

FRANCIS A. NOEL.

R. G. McCREARY, *Commissioner.*

It is agreed that the commissioner shall prepare an exact and literal copy of the second page, and of the certificate on the last or sixteenth page of the original poll-book, and attach it to the testimony, to be marked A.

R. G. McCREARY, *Commissioner.*

It is admitted that the following is a true copy of the original poll-books, tally-paper, and returns of the election held October 11, 1864, in company B, 21st regiment Pennsylvania cavalry, and filed in the office of the prothonotary of Adams county, Pennsylvania:

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Franklin, Adams, and York counties, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company B, of the 21st regiment Pennsylvania volunteers, cavalry, held at camp near City Point, Quartermaster Sergeant William W. Crooks and Lieutenant J. Q. A. Young, and Lafayette Brenizer, orderly sergeant, being duly elected judges of the said election, and J. Lewis McClellan and David M. Young being duly appointed clerks of said election, being all severally sworn or affirmed according to the certificates herewith returned.

Oaths of the judges and clerks.

We, William W. Crooks, J. Q. A. Young, and Lafayette Brenizer, judges of this election, and J. Lewis McClellan and David M. Young, clerks thereof, do each severally affirm that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law, and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

WILLIAM W. CROOKS,
LAFAYETTE BRENIZER,
JOHN Q. A. YOUNG,
Judges.
J. LEWIS McCLELLAN,
DAVID M. YOUNG,
Clerks.

I hereby certify that the aforesaid William W. Crooks, J. Q. A. Young, and Lafayette Brenizer, judges, and J. Lewis McClellan and David M. Young, clerks, were, before proceeding to take any votes at said election, first duly affirmed as aforesaid by me.

JAMES MICKLEY,
Captain Company B, 21st Pennsylvania Cavalry.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

_____ _____,
Judge of said Election.

I certify that _____, judge of election aforesaid, was also duly so _____, according to law, by me.
Witness my hand the date above written.

_____ _____,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid _____ to be the place for opening a poll for the said election.
Witness our hands the day and year aforesaid.

WILLIAM W. CROOKS,
LAFAYETTE BRENIZER,
J. Q. A. YOUNG,
Judges of said Election.

Attest:
J. LEWIS MCCLELLAN,
DAVID M. YOUNG,
Clerks.

Names of the electors voting at the said election, and their counties and townships.

Names.	Residences.
Captain James Mickley	Adams county, Franklin township.
Abraham Stockslager	Adams county, Franklin township.
Lieutenant Isaac Bucher	Adams county, Franklin township.
James M. Heintzelman	Adams county, Franklin township.
Witherow D. Horner	Adams county, Mount Joy township.
Charles F. Hoffman	Adams county, Hamiltonban township.
Jacob Fritz	Adams county, Franklin township.
Levi J. Hart	Adams county, Gettysburg township.
Jacob Comfort	Adams county, Menallen township.
George F. Seitz	Adams county, Freedom township.
Herbert Boyce	Adams county, Freedom township.
David Showalter	Adams county, Franklin township.
Philip A. Snyder	Adams county, Straban township.
William A. Johnson	Franklin county, Washington township.
Jacob Eyer	Franklin county, Letterkenney township.
David Fried	Adams county, Franklin township.
Samuel Shell	Adams county, Straban township.
A. J. Ripple	Franklin county, Washington township.
Walter J. Beamer	Adams county, Cumberland township.
John W. Guinn	Adams county, Cumberland township.
Thomas J. Lott	Adams county, Cumberland township.
Noah Snyder	Adams county, Mount Joy township.
G. Washington Spertzel	Adams county, Huntingdon township.
Samuel P. Glass	Adams county, Huntingdon township.
G. Jacob Hankey	Adams county, Mount Joy township.

Names of the electors voting at the said election, &c.—Continued.

Names.	Residences.
James Hake	Adams county, Cumberland township.
Isaac Fritz	Adams county, Franklin township.
Conrad B. Walter	Adams county, Franklin township.
Adam Snyder	Adams county, Cumberland township.
Joseph Kuhn	Adams county, Franklin township.
John Herring	Adams county, Freedom township.
Aaron Fried	Adams county, Franklin township.
William H. Dixon	Adams county, Hamiltonban township.
Elisha P. Hutton	Adams county, Menallen township.
George Sell	Adams county, Hamiltonban township.
J. Lewis McClellan	Adams county, Gettysburg township.
William W. Crooks	Franklin county, Green township.
George W. Keefauver	Adams county, Cumberland township.
John Baldwin	Adams county, Hamiltonban township.
Lafayette Brenizer	Adams county, Butler township.
John Q. A. Young	York county, Shrewsbury township.
David M. Young	Adams county, Cumberland township.
Lewis Miller	Adams county, Berwick township.
Nicholas Bersicker	Adams county, Freedom township.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of ——— county, State of Pennsylvania, voting at the said election, amounts to ———.

Witness our hands the day and year aforesaid.

——— ———,
——— ———,
——— ———,
Judges of the Election.

Attest:

——— ———,
——— ———,
Clerks of the Election.

(Tickets enclosed.)

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of ——— county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had thirty-six votes; A. H. Coffroth had four votes; Joseph Bailey had one vote.

For representatives in the house of representatives of Pennsylvania, David M. Myers had twenty-nine votes; James H. Marshall had ten votes; Alexander R. McClure had three votes; Samuel Roath had three votes; George W. Reichenbach had one vote; Abner S. Binder had one vote; J. McDowel Sharpe had one vote; William Mitchell had one vote.

For president judge, Francis M. Kimmell, of Franklin county, had one vote; Alexander King, of Franklin county, had three votes.

For coroner, Hiram E. Wertz, of Franklin county, had three votes; Victor D. Miller, of Franklin county, had one vote.

For county commissioner, John Armstrong, of Franklin county, had one vote; John Day, of Adams county, had thirty votes; Abraham Krise, of P., Adams county, had six votes; Hugh B. Davidson, of Franklin county, had three votes; Thomas Burns, of York county, had one vote.

For director of the poor, David J. Skinner, of Franklin, had one vote; Ephraim D. Newman, of Adams county, had twenty-nine votes; John N. Graft, of Adams county, had nine votes; John H. Criswell, of Franklin county, had three votes; John Elcock, of York county, had one vote.

For county auditor, Isaac N. Durboraw, (three years,) of Adams county, had thirty votes; Joseph Kepner, (two years,) of Adams county, had thirty votes; Joseph Burkee, (three years,) of Adams county, had nine votes; Jacob Hull, (two years,) of Adams county, had nine votes; Morrow R. Skinner, of Franklin county, had three votes; Jonas Smith, of York county, had one vote; Montgomery Martin, of Franklin county, had one vote.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands, the day and year aforesaid.

J. LEWIS McCLELLAN,
DAVID M. YOUNG,
Clerks.

Return of the election.

At an election held by the electors of Adams, Franklin, and York counties, in company B of the 21st cavalry regiment of Pennsylvania soldiers, at or near City Point, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast forty-four votes.

For representative in the House of representatives in the Congress of the United States ——— votes, of which William H. Koontz had thirty-six votes; A. H. Coffroth had four votes; Joseph Bailey, fifteenth congressional district, had one vote.

For representative in the house of representatives of Pennsylvania there were cast ——— votes, of which David M. Myers, of Adams county, had twenty-nine votes; James H. Marshall, of Adams county, had ten votes; Alexander K. McClure, of Franklin county, had three votes; Samuel Roath, of Franklin county, had three votes; George W. Reichenbach, of York county, had one vote; Abner S. Binder, of York county, had one vote; J. McDowel Sharpe, of Franklin county, had one vote; William Mitchell, of Franklin county, had one vote.

For president judge, Francis M. Kimmel, of Franklin county, had one vote; Alexander King, of Franklin county, had three votes.

For the office of coroner there were cast ——— votes, of which Hiram E. Wertz, of Franklin county, had three votes; Victor D. Miller, of Franklin county, had one vote.

For the office of county commissioner there were cast ——— votes, of which John Day, of Adams county, had thirty votes; Abraham Krise, of P., Adams county, had six votes; John Armstrong, of Franklin county, had one vote; Hugh H. Davidson, of Franklin county, had three votes; Thomas Burns, of York county, had one vote.

For the office of director of the poor there were cast ——— votes, of which Ephraim D. Newman, of Adams county, had twenty-nine votes; John N. Graft, of Adams county, had nine votes; John H. Crisswell, of Franklin county, had three votes; David J. Skinner, of Franklin county, had one vote; John Elcock, of York county, had one vote.

For the office of county auditor there were cast ——— votes, of which Isaac N. Durboraw, (three years,) of Adams county, had thirty votes; Joseph Kepner, (two years,) of Adams county, had thirty votes; Joseph Burkee, (three years,) of Adams county, had nine votes; Jacob Hull, (two years,) of Adams county, had nine votes; Morrow R. Skinner, of Franklin county, had three votes; Montgomery Martin, of Franklin county, had one vote; Jonas Smith, of York county, had one vote.

A true return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

Company Sergeant WILLIAM W. CROOKS,
Co. B, 21st Reg't Pa. Vol. Cav. Sol.,
Lieutenant JOHN Q. A. YOUNG,
Co. B, 21st Reg't Pa. Vol. Cav. Sol.,
Orderly Sergeant LAFAYETTE BRENIZER,
Co. B, 21st Reg't Pa. Vol. Car. Sol.,
Judges of the said Election.

Attest:
J. LOUIS MCCLELLAN.
DAVID M. YOUNG,
Clerks.
GETTYSBURG, *February* 17, 1865.

I do hereby certify that the foregoing is a true copy taken from the original in the office of the prothonotary of Adams county, Pennsylvania.

JACOB BUSHEY, *Prothonotary.*

R. G. MCCREARY, *Commissioner.*

James Mickly sworn:

I reside in Franklin township, Adams county. My age is thirty-seven years. I was in the military service of the United States on the 11th October, 1864. I was captain of company B, twenty-first regiment Pennsylvania cavalry. I was present at the election held in said company, October 11, 1864, at City Point, Virginia. The officers of the election were William W. Crooks, John Q. A. Young, and Lafayette Brenizer, judges, and Louis J. McClellan and David M. Young, clerks. These officers were sworn before proceeding to hold the election. I swore the officers; the reason was that I was in the tent. I was detailed on court-martial at the time, and there was none of them seemed to understand the swearing of the officers, and they told me that I could do it; and I being requested by the officers of the board to swear them, did so. Mr. John Q. A. Young, who was one of the officers, had told me that I, being the commanding officer of the company, could swear them. I was at the election from about three o'clock until they closed, about dusk. I think they had a candle lit. The polls were opened in the forenoon. I know the men whose names appear on the list of voters at that election as filed in the office of the prothonotary of Adams county. They were all residents of Adams county except the following-named, viz: William A. Johnston, Jacob Eyer, A. J. Ripple, and William W. Crooks, who resided in Franklin county, and John Q. A. Young, who resided in York county.

Cross-examined by Hon. A. H. Coffroth, the sitting member:

I swore the three judges and the two clerks. I swore them in the forenoon between nine and ten o'clock, as near as I can recollect. I think they opened the election immediately, but do not recollect. I knew nearly all these men before they went into the army. I had been in the army nearly two years before this election. I was out a year and a half before it. I knew the men personally before they went into the army. I knew Lewis Miller; he lived near Oxford. I had not been at all their homes, but had been at most of them. There were thirty or forty of them raised just around where I lived.

JAMES MICKLY.

R. G. MCCREARY, *Commissioner.*

D. Witherow Horner sworn:

I reside in Mountjoy township, Adams county. My age is twenty-four years. I was in the military service of the United States on the 11th October, 1864, in the twenty-first regiment Pennsylvania cavalry, company B. I was at the election held on that day in the company, and voted. My name is written in the list Witherow D. Horner by mistake. I am the same person. I was at the election the greater part of the day. I was not inside except when I voted, and cannot say how it was conducted. I know the votes of the men from Adams county were kept in a box separate from those cast by men from other counties. I was personally acquainted with most of the men, and know that the men whose names appear in the poll-list, as filed in the office of the prothonotary of Adams county as having voted at said election, were all residents of Adams county except William A. Johnston, Jacob Eyer, A. J. Ripple, and William W. Crooks, who lived in Franklin county, and John Q. A. Young, who lived in York county.

D. WITHEROW HORNER.

Hon. A. H. Coffroth objects to this witness, and declines cross-examining, for the reason that his name is not in the list furnished by the contestants.

R. G. McCREARY, *Commissioner.*

David M. Young sworn:

I reside in Gettysburg, Adams county, Pennsylvania. My age is twenty-eight years. I was in the military service of the United States, in company B, of the 21st regiment Pennsylvania cavalry, on the 11th of October, 1864. I was one of the clerks of the election held in that company on that day at City Point, Virginia; the officers of election were sworn by Captain James Mickley; we thought he had as good a right to swear us as anybody else, as he was our superior officer; the officers objected to swearing each other, and requested Captain Mickley to swear them.

[Hon. A. H. Coffroth, the sitting member, here objects to this testimony, and to all that has been stated, or may be stated by this witness, or any other, in regard to what was said by officers about holding elections, swearing election officers, &c.]

WITNESS. The officers objected to swearing each other, and requested Captain Mickley to swear them, because they did not understand how to go about it, and thought, as he was the superior officer, it was as much his place to do it as any other. The tickets voted by the men from different counties were kept in separate boxes. We carried on the election strictly and fairly; I know some had tax receipts; I know the officers were satisfied that those who voted were qualified voters; we wrote down the names of the men who voted as they voted; each clerk had a poll-book. The original poll-book on file in the office of the prothonotary of Adams county, and here shown, is in my handwriting; I wrote the names in it; it is a correct list of all the voters at that election as kept by me, and written down as they voted. John Q. A. Young was one of the judges; he is my brother; he resides in Shrewsbury township, York county; I think he voted for Bailey for Congress, but am not positive; Bailey was a candidate for Congress in York district; I cannot recollect whether there was a return made to York county of that vote, or not.

Cross-examined by William McClean, esq., for sitting member:

I think we had two ballot-boxes; I recollect of a division being made in one box, and we called it two boxes; I cannot recollect whether we had any more boxes or not; I cannot recollect what the officers said about Captain Mickly swearing them; it was the judges, principally, who spoke about it; I cannot say whether they all remonstrated, or whether it was my brother and Crooks; I don't recollect that I said anything to Mickly about it; I was acquainted

with William W. Crooks, who was one of the judges after he was in the service; I did not know of his being a lawyer; I know he was a printer; I did not know he was an editor; he now edits a paper; he was an intelligent man; the other judges were pretty intelligent men also; as a voter presented himself, his vote was taken and put into the box provided for it; I wrote down the name of every man who voted; we kept two separate ballot boxes; we made out the books to send the ballots to each county after they were put into the judges' hands; I do not know what was done with them; the ballots for Adams county were sent to Gettysburg, and none others, to my recollection; I do not recollect who read off the tickets; it was one of the judges; I cannot recollect which of them.

DAVID M. YOUNG.

R. G. McCREARY, *Commissioner.*

Lafayette Brenizer sworn:

I reside in Butler township, Adams county, Pennsylvania; I am thirty years of age; I was in the military service of the United States, in company B, of the 21st regiment Pennsylvania cavalry, on the 11th day of October, 1864; I acted as one of the judges of the election held in the company on that day; the other judges were William W. Crooks and John Q. A. Young; the judges and clerks were sworn by Captain Mickly; we thought it was law, and, as he was our superior officer, we got him to swear the officers of the election; he was asked by the judges to do it. The tickets from men of each county represented in the company were kept separate in a box having two partitions, making three divisions in it; the election was conducted very strictly and fairly; inquiry was made as to age and payment of taxes; those whom we were not positively certain were of age were sworn; the voters presented certificates showing the payment of tax within two years; after the voting was closed the blanks in the poll-books vere filled, and the returns signed by the officers, and then the books were sent by the judges to the different counties to which they belonged.

LAFAYETTE BRENIZER.

[Hon. A. H. Coffroth, sitting member, and his counsel object to this witness, and decline to cross-examine, because his name is not in the list furnished by contestant, and, therefore, they have no notice of his being called.]

R. G. McCREARY, *Commissioner.*

It is admitted that, of the ballots now on file in the office of the prothonotary of Adams county of Adams county men who voted at the election held in company B, 21st Pennsylvania cavalry, October 11, 1864, there are three ballots cast for the democratic county ticket on which there was no person voted for as member of Congress—two of said ballots having the name of Alexander H. Coffroth stricken off, and one having the congressional heading and name of the candidate cut off.

R. G. McCREARY, *Commissoner.*

It is admitted that the following is a correct copy of the poll-books, tally-papers, and returns of the election held October 11, 1864, in company K, of the 184th regiment Pennsylvania volunteers, on file in the prothonotary's office, Adams county:

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Adams county, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company K, of the 184th regiment of Pennsylvania volunteers, held at the headquarters of company K, 184th regiment Pennsylvania volunteers; William H. Coe, Jesse Diehl, and Daniel Minter being duly elected judges of the said election, and Manoah Carbaugh and Jacob W. Fidler being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, William H. Coe, Jesse Diehl, and Daniel Minter, judges of this election, and Manoah Carbaugh and Jacob W. Fidler, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

DANIEL MINTER,
WILLIAM H. COE,
JESSE DIEHL,
Judges.
MANOAH CARBAUGH,
JACOB W. FIDLER,
Clerks.

I hereby certify that the aforesaid William H. Coe, Jesse Diehl, and Daniel Minter, judges, and Manoah Carbaugh and Jacob W. Fidler, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me, Daniel Minter.

Witness my hand, this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

DANIEL MINTER,
Judge of said Election.

I certify that said judge of election aforesaid was also duly so sworn, according to law, by me.

Witness my hand the date above written.

MANOAH CARBAUGH,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid headquarters of company K, 184th regiment Pennsylvania volunteers, to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

WILLIAM H. COE,
JESSE DIEHL,
DANIEL MINTER,
Judges of said Election.

Attest:

MANOAH CARBAUGH,
JACOB W. FIDLER,
Clerks.

Names of the electors voting at the said election, and their counties and townships.

Names.	Residence.
William H. Coe	Adams county, Franklin township.
Jesse Diehl	Adams county, Mount Pleasant township.
Daniel Minter	Adams county, Mount Pleasant township.
Jacob W. Fidler	Adams county, Straban township.
Manoah Carbaugh	Adams county, Hamiltonban township.
Captain William H. Adams	Adams county, Franklin township.
Singleton M. Stevens	Adams county, Tyrone township.
George Shultze	Adams county, Franklin township.
Jeremiah Gulden	Adams county, Straban township.
John E. Hartman	Adams county, Franklin township.
Leander J. Bower	Adams county, Tyrone township.
Lenard Taylor	Adams county, Menallen township.
Samuel Lawver	Adams county, Butler township.
John Z. Hartzell	Adams county, Straban township.
Abraham Keckler	Adams county, Butler township.
Samuel A. Cooley	Adams county, Tyrone township.
John H. Major	Adams county, Straban township.
Henry Tate	Adams county, Straban township.
David Wisler	Adams county, Franklin township.
Joseph Lease, jr	Adams county, Straban township.
Ephraim Shull	Adams county, Straban township.
Lewis C. Smith	Adams county, Menallen township.
Peter G. Cassatt	Adams county, Straban township.
Michael Orner	Adams county, Menallen township.
John A. Sillik	Adams county, Menallen township.
John Toot	Adams county, Franklin township.
Jacob McIlhenny	Adams county, Straban township.
David Tate	Adams county, Straban township.
Boreas Deatrick	Adams county, Straban township.
John W. Fidler	Adams county, Straban township.
Lieutenant Philip L. Houck	Adams county, Butler township.
Amos H. Lady	Adams county, Franklin township.
John H. Eckert	Adams county, Straban township.
Martin Sheeler	Adams county, Straban township.
John A. Snowden	Adams county, Straban township.
Henry M. Swartz	Adams county, Cumberland township.
Jacob Rummell	Adams county, Straban township.
George T. Hudson	Adams county, Straban township.
Ephraim A. Loubaugh	Adams county, Straban township.
John C. Steinberger	Adams county, Franklin township.
George Starner	Adams county, Franklin township.
Samuel A. Bigham	Adams county, Hamiltonban township.
Levi Rinehart	Adams county, Straban township.
Emanuel H. Trastle	Adams county, Tyrone township.
Joshua Taylor	Adams county, Menallen township.
Henry Peters	Adams county, Franklin township.
Lewis F. Brady	Adams county, Franklin township.
John W. Strausbaugh	Adams county, Franklin township.
James Bigham	Franklin county, Washington township.
Henry Slothour	Adams county, Straban township.
Joseph Bigham	Adams county, Hamiltonban township.
Ephraim Rinehart	Adams county, Straban township.
George H. Fant	Adams county, Menallen township.
Jacob H. Bott	Adams county, Cumberland township.
Noah Lott	Adams county, Cumberland township.
Adam B. Black	Adams county, Straban township.
Abraham Kunkle	Adams county, Straban township.
William Shelleman	Adams county, Franklin township.
William Funk	Adams county, Tyrone township.
John Shultz	Adams county, Franklin township.

(Tickets enclosed.)

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of Adams county, State of Pennsylvania, voting at the said election, amounts to sixty votes.

Witness our hands the day and year aforesaid.

WILLIAM H. COE,
JESSE DIEHL,
DANIEL MINTER,
Judges of the Election.

Attest:

MANOAH CARBAUGH,
JACOB W. FIDLER,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Adams county, State of Pennsylvania.

For representative in the House of Representatives of the United States, Alexander H. Coffroth had twenty-one votes; William H. Koontz had thirty-nine votes.

For representative in the house of representatives of Pennsylvania, James H. Marshall had nineteen votes; David M. Myers had thirty-nine votes.

For county commissioner, Abraham Krise, of P., had twenty-one votes; John Day had thirty-eight votes.

For director of the poor, John N. Graft had twenty-one votes; Ephraim D. Newman had thirty-eight votes.

For county auditor, Joseph Burkee (three years) had twenty one votes; Jacob Hull (two years) had twenty-one votes; Isaac N. Durboraw (three years) had thirty-eight votes; Joseph Kepner (two years) had thirty-eight votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

Witness our hands the day and year aforesaid.

MANOAH CARBAUGH,
JACOB W. FIDLER,
Clerks.

Return of the election.

At an election held by the electors of Adams county, in company K of the 148th regiment of Pennsylvania soldiers, at the headquarters of company K, 184th regiment Pennsylvania volunteers, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, ——— votes, of which Alexander H. Coffroth had twenty-one votes; William H. Koontz had thirty-nine votes.

For representatives in the house of representatives of Pennsylvania, there were cast ——— votes, of which James H. Marshall had nineteen votes; David M. Myers had thirty-nine votes.

For the office of county commissioner, there were cast ——— votes, of which Abraham Krise, of P., had twenty-one votes; John Day had thirty-eight votes.

For the office of director of the poor, there were cast ——— votes, of which John N. Graft had twenty-one votes; Ephraim D. Newman had thirty-eight votes.

For the office of county auditor, there were cast ——— votes, of which Joseph Burkee (three years) had twenty-one votes; Jacob Hull (two years) had twenty-one votes; Isaac N. Durboraw (three years) had thirty-eight votes; Joseph Kepner (two years) had thirty-eight votes.

A true return of the election held, as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

WILLIAM H. COE,
Co. K, 184th Reg't Penn. Soldiers,
JESSE DIEHL,
Co. K, 184th Reg't Penn. Soldiers,
DANIEL MINTER,
Co. K, 184th Reg't Penn. Soldiers,
Judges of said Election.

Attest:
MANOAH CARBAUGH,
JACOB W. FIDLER,
Clerks.

I do hereby certify that the foregoing is a true copy, taken from the original in the office of the prothonotary of Adams county, Pennsylvania.

JACOB BUSHEY,
Prothonotary.

GETTYSBURG, *February* 17, 1865.

It is admitted that the following is a correct copy of the poll-book, tally-paper, and return of the election held October 11, 1864, in McClellan United States army general hospital, on file in the office of the prothonotary of Adams county, Pennsylvania.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Adams county, in the State of Pennsylvania, in the actual military service under the requisition of the President of the United States, and being unable to attend any other proper place of election; this election being held at McClellan United States army general hospital, which place the said electors, being present, have selected for opening a poll, and certify herein; W. Cox, Wm. H. Walling, and John M. Kelper being then and there duly elected judges of the said election; and Charles Stine and A. T. Black being duly appointed clerks of the same, and having been duly sworn or affirmed according to law.

JOHN M. KEPLER,
WILLIAM COX,
W. W. WALLING,
Judges.
CHARLES A. STINE,
A. T. BLACK,
Clerks.

Number and names of the electors voting at the said election who are residents of Adams county, with their city, borough, township, ward, or precinct.

1. George Booth, company B, 138th regiment Pennsylvania volunteers Littlestown.

2. William D. Hambouch, company I, 87th regiment Pennsylvania volunteers, Conowago township.

3. John Noel, company I, 87th regiment Pennsylvania volunteers, Mount Pleasant.

Tally-paper or list of votes, and returns for each person voted for at the said election by the qualified voters of Adams county.

For representative in the House of Representatives in the Congress of the United States, Wm. H. Koontz had three votes.

For representative in the house of representatives of Pennsylvania, David M. Myers had three votes.

For auditor, Isaac Durboraw (three years) had one vote; Joseph Kepner (two years) had one vote.

For director of the poor, Ephraim D. Newman had one vote.

For commissioner, John Day had one vote.

We hereby certify that the aforesaid tally-papers, list of voters, and return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid, is correct and a true return thereof, there being more than ten qualified voters of said State present at the election held as aforesaid.

WILLIAM COX,
W. H. WALLING,
JOHN M. KEPLER,
Judges of said Election.

Attest:
CHARLES A. STINE,
A. T. BLACK,
Clerks.

(Tickets enclosed.)

I do hereby certify that the foregoing is a true copy taken from the original in the office of the prothonotary of Adams county, Pennsylvania.

[SEAL.] JACOB BUSHEY, *Prothonotary.*

GETTYSBURG, *February* 17, 1865.

The following, it is admitted, is a correct copy of two of the ballots filed with the aforesaid return from McClellan hospital:

State ticket.—For Congress, sixteenth district, William H. Kuntz.

R. G. McCREARY,
Commissioner.

It is admitted that the following is a correct copy of the poll-book, tally-paper and return of the election held in Mower United States army hospital, October 11, 1864, on file in the office of the prothonotary of Adams county, Pennsylvania:

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Adams county, in the State of Pennsylvania, in the actual military service under the requisition of the President of the United States, and being unable to attend any other proper place of election; this election being held at Mower United States army hospital, which place the said electors, being present, have selected for opening a poll, and certify herein; William H. Turner, W. Martin, and W. S. Bowman being then and there duly elected judges of the said election, and —— —— and —— —— being duly appointed clerks of the same, and having been duly sworn or affirmed according to law.

WILKIE MARTIN,
W. H. TURNER,
W. S. BOWMAN,
Judges.

W. A. CALDERWOOD,
R. J. EDMUND,
Clerks.

Number and names of the electors voting at the said election who are residents of Adams county, with their city, borough, township, ward, or precinct.

1. Edward C. Blocher, Menallen township.

Tally-paper or list of votes and returns for each person voted for at the said election by the qualified voters of Adams county.

For representative in the House of Representatives in the Congress of the United States, Wm. H. Koonts had one (1) vote.

For representative in the house of representatives of Pennsylvania. David M. Myers had one (1) vote.

We hereby certify that the aforesaid tally-papers, list of voters, and returns of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid, is correct and a true return thereof.

WILKIE MARTIN.
W. H. TURNER,
W. S. BOWMAN,
Judges of said Election.

Attest:
W. A. CALDERWOOD,
R. J. EDMUND,
Clerks.

(Ticket enclosed.)

I do hereby certify that the foregoing is a true copy, taken from the original in the office of the prothonotary of Adams county, Pennsylvania.

JACOB BUSHEY, *Prothonotary.*

GETTYSBURG, *February* 17, 1864.

D. A. Buehler, esq., counsel for contestant, offers in evidence certified copies from the state department at Harrisburg, Pennsylvania, attested by the signature of the secretary of the commonwealth, and seal of State; of the returns of an election held on the second Tuesday in October, 1864, so far as the same relates to the counties of Adams, Somerset, Franklin, and Bedford; at Girard-house in Mower United States army general hospital, and at McClellan United States army general hospital, said certified copies being hereunto annexed and designated and marked as papers B and C, respectively, the votes mentioned in said copies, so far as they belong to Adams county, being the same votes mentioned in the returns from said McClellan and Mower hospitals, already given in evidence.

Vide said certified copies annexed, B and C.

R. G. M'CREARY, *Commissioner.*

D. M'Conaughey, esq., counsel for contestant, offers in evidence a certified copy of the list of persons who voted in Franklin township, Adams county, at the election held October 11, 1864, hereunto annexed and marked as paper D; also a certified copy of the certificate of election returns from said township at the same election, hereunto annexed and marked as paper E; said papers being certified by the prothonotary of Adams county under his official seal, from the originals filed in his office.

Vide said papers annexed and marked D and E.

R. G. McCREARY, *Commissioner.*

Also a certified copy of the list of persons who voted in Cumberland township, Adams county, at the election held October 11, 1864, hereunto annexed and

marked as paper F; also a certified copy of the certified election return from said township at the same election, hereunto annexed and marked as paper G; said original papers being on file in the office of the prothonotary of Adams county, and said copies being certified by him under his seal of office.

Vide said papers annexed.

R. G. McCREARY, *Commissioner.*

Also a certified copy of the original certified election return made from the district composed of the townships of Hamiltonban and Liberty, in Adams county, for the election held October 11, 1864, and on file in the office of the prothonotary of Adams county, Pennsylvania, and said copy being certified by J. A. Kitzmiller, esq., prothonotary, under his official seal; said paper being hereunto annexed and marked as paper H.

R. G. McCREARY, *Commissioner.*

It is admitted that J. A. Kitzmiller, esq., who certifies the foregoing papers—D, E, F, G, and H—is the prothonotary of Adams county, duly commissioned and qualified.

R. G. McCREARY, *Commissioner.*

It is admitted that the name which appears as No. 21, "George W. Morgan," on paper F, is on the other list of voters for said township of Cumberland, filed in the prothonotary's office at Gettysburg, written "Geo. B. Mogan."

R. G. McCREARY, *Commissioner.*

Jonas Johns sworn:

I am steward at the Adams county poor-house. I moved there September 26, 1865. My predecessor was Jacob Culp; he had been steward several years; he is now dead. This book now produced is the register of the poor-house, containing the record of persons who are admitted as paupers into that institution; showing the time of admission, when they leave, die, or remove. It is the book kept in the institution, and was handed to me on my taking charge of the institution. It was handed to me in the office, the day I took charge, by the directors or clerk, I don't remember which.

[Hon. A. H. Coffroth, the sitting member, objects here to the admission of any entries from this book, especially until the handwriting of the party who made the entries is proven.]

D. A. Buehler, esq., counsel for the contestant, gives in evidence the following entries, viz:

"List of paupers continued.

"1859, December 15, Andrew Koons; 1860, June 9, Henry Hilt; 1860, June 11, Christian Spaidman; 1860, November 28, Henry Gipe; 1860, December 11, Samuel Rose; 1861, March 20, Cornelius Brinkerhoff; 1861, March 23, William Keafer; 1861, June 15, Richard Stevens; 1862, December 5, George Morgan; 1864, February 26, David Beecher; 1864, May 24, Lewis Morphey."

WITNESS. There is a man named Brinkerhoff in the poor-house; I do not know his first name; Henry Gipe is still there; Lewis Morphey is there; also Samuel Rose, Wm. Keafer, Christian Spaidman, —— Hilt; David Beecher is there, but he is very crazy. Koons is there still. Richard Stevens died February 19, 1866. Morgan is gone; he left there last spring. Daniel Shaner and Patrick Mulligan, and a man named Luther, also Charles Sherr or Shane, and John Johns, are there; and were all there, I think, when I took charge, except Johns, who had been away and returned.

Cross-examined by William McClean, esq., counsel for sitting member:

I am not one of the directors of the poor, nor their clerk.

Re-examined by D. McConaughy, esq., counsel for contestant:

I understand that it is my duty as steward to keep the register of the paupers; I have kept it ever since I have been there.

JONAS JOHNS.

R. G. McCREARY, *Commissioner.*

Isaac Leeper sworn:

I reside in Cumberland township, Adams; my age is forty-seven years. I was one of the inspectors of the election in that township October 11, 1864. Cornelius Brinkerhoff voted at that election; Daniel Shaner voted at that election; also Henry Gipe, Lewis Morphey, Samuel Rose, Patrick Mulligan, Richard Stevens, George Luther, William Keafer, Christian Spaidman, Henry Hilt, David Beecher, Charles Shane, and John Johns voted at that election. I am not positive about George W. Morgan and Andrew Koons whether they voted or not. John Armstrong voted at that election. The persons above named, as having voted at that election, were at that time paupers at the poor-house. There was no other man at that time residing in Cumberland township named Cornelius Brinkerhoff, except the one who was a pauper; nor was there any other Daniel Shaner, or Henry Gipe, or Lewis Morphy, or Patrick Mulligan, or Richard Stevens, or George Luther, or William Keafer, or Christian Spaidman, or Henry Hilt, or David Beecher, or Charles Shane, or John Johns, or George Morgan, in Cumberland township at that time, except those who were paupers at the poor-house. There were other persons named Rose in that township, but I do not know whether any other Samuel Rose or not; I do not know whether any other Andrew Koons in the township or not. There was another man named Koons, but I do not know his first name.

I have lived in Cumberland township over twenty-five years. I have been judge of election, school director, and auditor. I am pretty well acquainted all through the township, and know the voters and citizens.

[Hon. A. H. Coffroth and his counsel object to this witness, and decline to cross-examine because his name is not contained in the list of witnesses furnished, and therefore they had no notice that he would be called.]

ISAAC LEEPER.

R. G. McCREARY, *Commissioner.*

Daniel Shaner sworn:

I am over sixty-three years of age. I have resided at the Adams county poor-house since July, 1863. I voted at the election held October 11, 1864, in Cumberland township. The following persons who were then living at the poor-house also voted at that election: Henry Gipe, Samuel Rose, Patrick Mulligan, Richard Stevens, George Luther, George W. Morgan, William Keafer, Christian Spaidman, Henry Hilt, David Beecher, Charles Shane, John Johns, Andrew Koons. I am not certain about Cornelius Brinkerhoff and Lewis Murphy whether they voted that time or not. It rather runs in my mind that Brinkerhoff did not vote that time, but I am not certain. David Beecher is at this time insane; they keep him confined. I do not know who Beecher voted for at that election. I voted for Alexander H. Coffroth.

[Hon. A. H. Coffroth, sitting member, and his counsel object to this witness, and decline the cross-examination because his name is not in the list of witnesses furnished by the contestant, and therefore they had no notice of his being called to testify.]

his
DANIEL + SHANER.
mark.

R. G. McCREARY, *Commissioner.*

Patrick Mulligan sworn:

As near as I can tell I am forty years of age next May. I have lived at the Adams county poor-house eight years past. I voted at the election for member of Congress on the 11th of October, 1864, in Cumberland township. I voted for Alexander H. Coffroth for Congress. I was naturalized.

Cross-examined by Hon. A. H. Coffroth:

I did not make up my own ticket; it was given to me. I did not read it; I cannot read; it was read to me. I don't know who I voted for except what somebody told me.

Re-examined by D. McConaughy, esq.:

Alfred Slonecker gave me the ticket. He was the year before that the teamster employed by Mr. Culp, the steward, at the poor-house. He had left there in the spring before the election. He was son-in-law to Mr. Culp, the steward. He was a democrat. I was a democrat also. I asked him for a democratic ticket. I asked him to read it, and he did; and I got another man also to read it. They read Mr. Coffroth's name for Congress.

his
PATRICK + MULLIGAN.
mark.

R. G. McCREARY, *Commissioner.*

William Keafer sworn:

I am sixty years old. I have lived at the poor-house since March, 1861. I voted at the election held October 11, 1864, in Cumberland township. I voted to the best of my knowledge. I voted for a man named Coffroth, to the best of my knowledge. I do not know his full name; there was an "H" in it. I heard him make a speech once.

Cross-examined by Hon. A. H. Coffroth:

I read my ticket. I can't tell if I voted in that township before or not, or how often I voted there. They had stopped the vote one year, and would not let the paupers vote. I can't tell if I voted every other year or not. I voted last fall. I always paid the tax where I voted. I paid as much as was assessed on a pauper.

Re-examined by D. McConaughy, esq.:

People gave me the money still, and I paid it. The last election the steward paid it, and I have the receipt. One year John McClellan, who run for county treasurer, gave me the money to pay it. The steward paid the tax for me, and gave me this receipt. (Receipt produced, dated October 7, 1864, for eight cents county tax.) At that time the steward brought a whole parcel of receipts for the men in the house who were entitled to vote. He did not tell me how many, but he said, "I have got the receipts now for the paupers to vote," and he gave me my receipt. I cannot tell who gave me my ticket. I got it at the poor-house; don't know from whom. The steward generally brought the tickets there before the men went to vote. I voted of my free will.

Cross-examined by Hon. A. H. Coffroth:

I can't say that the paupers all got their tickets from the steward.

WILLIAM KEAFER.

R. G. McCREARY, *Commissioner.*

Charles Scham sworn:

I am fifty years of age. I have lived at the Adams county poor-house near nine years. I voted at the election in October 11, 1864, in Cumberland township. I voted for Congress. I did not know the people. I voted the democratic ticket. Mr. Culp gave me the ticket, and went with me to the place where they voted, and I voted it. Mr. Culp was at that time the steward at the poor-house.

He paid my tax, and gave me the receipt. I have it at home in my chest. Mr. Culp gave the tickets to the men out at the poor-house. Mr. Culp and his son-in-law went with me to the tavern where they voted, and we went up to the table, and he asked me to let him see my ticket, and I showed it to him, and then handed it in.

Cross-examined by Hon. A. H. Coffroth:

I have voted every year since I have been at the poor-house. I carry water and wood, and make fires in the wash-house, and in the furnaces, in winter, and in the crazy people's ward, at the poor-house, and attend to the crazy people, and take care of them.

CARL SCHAM.

R. G. McCREARY, *Commissioner.*

Christian Spaidman sworn:

I am sixty years of age; I have lived seven years in the Adams county poor-house; I voted at the election on the 11th October, 1864. I voted the democratic ticket for Congress. I cannot tell the man's name I voted for; I cannot read English, and could not read the ticket. Culp was steward, and Slonacker, his son-in-law, gave me the ticket. Mr. Culp paid my tax and gave me the receipt.

(Hon. A. H. Coffroth objects to this witness and declines cross-examination because his name is not on the list furnished by the contestant, and therefore he had no notice of his being called.)

CHRISTIAN SPAIDMAN.

R. G. McCREARY, *Commissioner.*

Andrew Kuntz sworn:

I am sixty-nine years of age; I have lived six years at the Adams county poor-house. I voted at the election in October, 1864, in the Cumberland township box; I voted the democratic ticket for Congress; I cannot tell the name of the man I voted for; I cannot see to read the ticket, but I got it read, but cannot remember the name. I got the ticket from Mr. Culp, the steward at the poor-house; he paid my tax and gave me a tax receipt. He was a democrat.

Cross-examined by Hon. A. H. Coffroth, the sitting member:

I have voted three times since I have been at the poor-house, that I can recollect. I am a democrat; I have voted that ticket since I am grown up. I lost my sight by a cataract on my eyes. I spell my name *Kuntz*, but my step-brother writes it *Koons*.

his
ANDREW × KUNTZ.
mark.

R. G. McCREARY, *Commissioner.*

David Schriver sworn:

I reside in Cumberland township, Adams county; I am fifty-five years of age. I have resided about twenty-three years in that township. I have been four times an election officer in the township. I know almost every man in the township, unless it be some who have lately come in. I was at the election on the 11th October, 1864, and remained there until pretty late in the day. The following persons were at that time paupers in the poor-house, and voted at that election, viz: Cornelius Brinkerhoff, Daniel Shaner, Henry Gipe, Samuel Rose, Patrick Mulligan, Richard Stevens, George W. Morgan, Christian Spaidman, Henry Hilt, David Beecher, and John Johns. I made a list of them at the time, and I knew them, I think, all to be paupers at the time. There were no other voters of the same names as those mentioned, in Cumberland township, at that time. Lewis Morfut, or Murphy, was a pauper; William Keafer was also.

I took down the names of those I saw vote. Mr. Culp, the steward, brought some of the paupers up; his son-in-law, Alfred Slonecker, brought some up, and Cornelius Daugherty brought some up—I mean up to the window to vote. Culp, Slonecker and Daugherty were active, working democrats at the election.

Cross-examined by Hon. A. H. Coffroth, the sitting member:

Men on both sides were active in getting votes that day. The paupers have voted in that township ever since I have been in it, with the exception of one year. When the whig party had the control of the poor-house the paupers voted. Some of these same men voted; I saw John Armstrong vote on that day; he was on the pauper list. I know James Smith; I did not see him vote; if I had I would have put his name on the list; my list composed all I saw vote; it was not made of those alone whom I supposed had voted the democratic ticket. I had John Armstrong's name on the list.

DAVID SCHRIVER.

R. G. McCREARY, *Commissioner.*

APRIL 26, 1866.

P. D. W. Hankey sworn:

I reside in Cumberland township, Adams county; I am thirty-five years of age; I was at the election held in Cumberland township on the 11th of October, 1864. I voted, and was at the polls working all day. I saw Daniel Shaner vote that day; also Lewis Morfit, Patrick Mulligan, Richard Stevens, George Luther, George W. Morgan, Christian Spaidman, Henry Hilt, David Beecher and John Johns. I did not see Cornelius Brinkerhoff, Henry Gipe, Samuel Rose, William Keefer, Andrew Koons and Charles Shane vote. I saw them at the election. I did not see the inside of the tickets of those who voted as above stated, and have no personal knowledge how they voted. They were brought to the polls, most of them, on a wagon by Jacob Culp, who was at that time the steward at the poor-house, and by Alfred Slonecker, and they and Cornelius Daugherty kept the men together, supplied them with tickets and voted them. Culp, Slonecker, and Daugherty were democrats and were electioneering for that ticket on that day. Alexander H. Coffroth was the democratic candidate for Congress at that election. I saw his name on the democratic tickets. All the persons I have named as having voted on that day, and that I saw on the ground—that is, Daniel Shaner, Lewis Morfert, Patrick Mulligan, Richard Stevens, George Luther, George W. Morgan, Christian Spaidman, Henry Hilt, David Beecher, John Johns, Cornelius Brinkerhoff, Henry Gipe, Samuel Rose, William Keefer, Andrew Koons, and Charles Shane—were at that time paupers in the poor-house. I have lived twenty-five years in Cumberland township.

(Hon. A. H. Coffroth, the sitting member, and his counsel object to this witness, and decline to cross-examine him, because his name is not on the list of witnesses furnished by the contestant, and therefore they had no notice of his being called.)

P. D. W. HANKEY.

R. G. McCREARY, *Commissioner.*

Testimony closed.

R. G. McCREARY, *Commissioner.*

No. 18.

PAPER A.—*Oaths of judges and clerks.*

I, John F. Blair, first lieutenant, judge of this election, and Abraham King and Francis A. Noel, clerks thereof, do each severally swear that we will per-

form the duties of judge and clerks of the said election, severally acting as set forth in the act of general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit or abuse in conducting the same.

JOHN F. BLAIR,
Judge.
ABRAHAM KING,
FRANCIS A. NOEL,
Clerks.

I hereby certify that the aforesaid ————————, and John F. Blair, judge, and Abraham King and Francis A. Noel, clerks, were, before proceeding to take any votes at said election, first duly sworn, as aforesaid, by me, John F. Blair.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

J. F. BLAIR,
Judge of said Election.

I certify that John F. Blair, judge of election aforesaid, was also duly sworn according to law by me.

Witness my hand the date above written.

ABRAHAM KING,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid ———————— to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

JOHN F. BLAIR,
Judge of said Election.

Attest:
ABRAHAM KING,
FRANCIS A. NOEL,
Clerks.

A true return of the election held as aforesaid, on the second Tuesday in October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

ANTHONY W. KLURCK,
Company C, 202d Regiment Soldiers.
JOSEPH MILLER,
Company C, 202d Regiment Soldiers.
WESLEY A. REARY,
Company C, 202d Regiment Soldiers.
First Lieutenant JOHN F. BLAIR,
Judge of the said Election.

Attest:
ABRAHAM KING,
FRANCIS A. NOEL,
Clerks.

The above is an exact and literal copy of the second page, and of the certificate on the last or sixteenth page, of the original poll-book of the election held October 11, 1864, in company C, of the 202d regiment Pennsylvania volunteers, at White Plains, Virginia, on file in the office of the prothonotary of Adams county, Pennsylvania.

R. G. McCREARY, *Commissioner.*

No. 19.

[Paper B.]

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of the State of Pennsylvania, in the actual military or naval service under the requisition of the President of the United States, and being unable to attend any company poll, or other proper place of election, this election being at Girard House, in Mower United States army general hospital, which place they, the said electors, being present, have selected for opening a poll for the said election, and certify herein; Walter S. Bowman, W. H. Turner, and W. Martin being then and there duly elected judges of the said election, and W. A. Calderwood and R. J. Edmond being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oath and affirmation of the judges and clerks.

We, W. S. Bowman, W. H. Turner, and W. Martin judges of this election, and W. A. Calderwood and R. J. Edmond, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of said election, severally acting as set forth in the act of the general assembly of the State of Pennsylvania, entitled "An act regulating elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the said election.

WILKIE MARTIN,
W. S. BOWMAN,
W. H. TURNER,
Judges of the Election.

Attest:

W. A. Calderwood,
R. J. Edmond,
Clerks of the Election.

I hereby certify that W. S. Bowman and W. H. Turner, judges, and W. A. Calderwood and R. J. Edmond, clerks of the said election, were, before proceeding to take any votes at said election, first of all severally sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

W. MARTIN,
Judge of said Election.

I hereby certify that the aforesaid W. Martin, judge of said election, was also so duly sworn by me.

Witness my hand the date above written.

W. A. CALDERWOOD,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid Girard House, Mower United States army general hospital, to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

WILKIE MARTIN,
Private, H, 6th Pennsylvania Cavalry,
W. S. BOWMAN,
Sergeant, D, 16th Pennsylvania Cavalry,
W. H. TURNER,
Private, B, 140th Pennsylvania,
Judges of the said Election.

Attest:
W. A. CALDERWOOD,
R. J. EDMOND,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
51	W. H. Owens, Co. G, 5th Pa.	Somerset county	Allegheny township.
63	Joseph Stall, Co. M, 2d Pa. cav.	Bedford county	South Woodberry township.
79	David Dunnyer, Co. M, 102d Pa.	Somerset county	Somerset township.
83	J. Albright, Co. M, 102d Pa.	do.	Greenville township.
128	George Heminger, Co. D, 54th Pa.	do.	Somerset township.
135	Nath. Perdero, Co. G, 16th Pa. cav.	Bedford county.	Southampton township.
148	S. Rice, Co. I, 149th Pa.	do.	Monroe township.
150	Wm. Earnest, Co. F, 138th Pa.	do.	Harrison township.
176	Edward Blocker, Co. G, 138th Pa.	Adams county	Menallen township.
190	Peter Pete, Co. C, 142d Pa.	Somerset county	Milford township.
200	H. C. Crouse, Co. D, 2d Pa. H. Art.	Franklin county	Fannett township.

It is hereby certified to by us that the above list of electors, voting at the said election, is correct, and that the number of electors of the ————————, State of Pennsylvania, voting at the said election, amounts to two hundred and eleven.

Witness our hands the day and year aforesaid.

WILKIE MARTIN,
Private, H, 6th Pennsylvania Cavalry,
W. H. TURNER,
Private, B, 140th Pennsylvania,
W. S. BOWMAN,
Sergeant, D, 16th Pennsylvania Cavalry,
Judges of the Election.

Attest:
W. A. CALDERWOOD,
R. J. EDMOND,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of ———— county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz, 16th district, had (11) eleven votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

R. J. EDMOND,
W. A. CALDERWOOD,
Clerks.

Return of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of ——— county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll, or their proper place of election, at ———, being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the House of Representatives in the Congress of the United States, ——— votes; of which William H. Koontz, 16th district, had eleven votes.

A true return of the election, held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, at Mower hospital, in the county of Philadelphia, of Pennsylania soldiers, (qualified voters,) resident therein, certified by us the day and year aforesaid.

WILKIE MARTIN, H, 6th Pa. Cav.,
W. H. TURNER, B, 140th Pa.,
H. S. BOWMAN, D, 16th Pa. Cav.,
Judges of the said Election.

Attest:
W. A. CALDERWOOD,
R. J. EDMOND,
Clerks.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, March 31, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of the return of an election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, so far as the same relates to Adams, Somerset, Franklin, and Bedford counties, at Girard House, in Mower United States army general hospital, as the same remains on file in this office.

In witness whereof, I have hereunto set my hand, and caused the seal [SEAL.] of said office to be affixed, this thirty-first day of March, A. D. one thousand eight hundred and sixty-six.

ELI SLIFER,
Secretary of the Commonwealth.

No. 20.

[PAPER C.]

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of ——— county, State of Pennsylvania, in the actual military or naval service, under the requisition of the President of the United States, and being unable to attend any company poll, or other proper place of election; this election being at McClellan United States army hospital, which place they, the said electors, being present, have selected for opening a poll for the said election, and certify herein; W. H. Walling, hospital steward, United States army; William Cox, hospital steward, United States army, and Private John M. Kepler, Co. D, 148th Pennsylvania, being then and there duly elected judges of the said election, and Charles A. Stine, Co. M, 15th Pennsylvania volunteer cavalry, and Private A. T. Black, Co. F, 59th Pennsylvania volunteers, being duly appointed clerks of said election, being all severally sworn, according to the certificates herewith returned.

Oaths and affirmations of the judges and clerks.

We, William H. Walling, hospital steward, United States army, William Cox, hospital steward, United States army, and John M. Kepler, Co. D, 148th Pennsylvania volunteers, judges of this election, and Charles A. Stine and A. T. Black, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of said election, severally acting as set forth in the act of the general assembly of the State of Pennsylvania, entitled "An act regulating elections by soldiers in actual military service," according to law, and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit or abuse in conducting the said election.

WILLIAM H. WALLING,
WILLIAM COX,
JOHN M. KEPLER,
Judges of the Election.

Attest:
CHARLES A. STINE,
A. T. BLACK,
Clerks of the Election.

I hereby certify that William H. Walling and John M. Kepler, judges, and Charles A. Stine and A. T. Black, clerks, of the said election, were, before proceeding to take any votes at said election, first of all severally sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

WILLIAM COX,
Judge of said Election.

I hereby certify that the aforesaid William Cox, hospital steward, United States army, judge of said election, was also duly sworn by me.

Witness my hand the date above written.

CHARLES A. STINE,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid McClellan United States army general hospital to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

W. H. WALLING,
JOHN M. KEPLER,
Judges of the said Election.

Attest:
CHARLES A. STINE,
A. T. BLACK,
Clerks

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
10	Geo. Booth, Co. B, 138th Pa. vols.	Adams county.....	Littlestown.
34	John Gibson, Co. B, 183d	Bedford county.....	West Providence township.
40	Wm. D. Hombach, Co. I, 87th P. V.	Adams county.....	Conewago township.
42	John Noel, Co. I, 87th Pa. vols..	.....do.	Mount Pleasant township.
49	Alex. Ichleberger, Co. H, 22d cav .	Bedford	Oakland.
56	Jacob Chamberlin, Co. H, 22d cav.	Bedford county.....	East Providence township.
57	Chas. H. Brown, Co. F, 49th cav..	Franklin county....	Hamilton township.
62	John Reed, Co. H, 187th Pa. vols.	Somerset county....	Stony Creek township.
66	G. W. Hackman, Co. F, 194th P. V.	Franklin county....	St. Thomas township.
163	Nelson B. Miller, Co. D, 55th P. A.	Bedford county.....	Harrison township.

It is hereby certified to by us, that the above list of electors, voting at the said election, is correct, and that the number of electors of the different counties of the State of Pennsylvania, voting at the said election, amounts to one hundred and six (106.)

Witness our hands the day and year aforesaid.

W. H. WALLING,
Hospital Steward, U. S. Army,
JOHN M. KEPLER,
Company D, 148th Pa. Vol.,
WILLIAM COX,
Hospital Steward, U. S. Army,
Judges of the Election.

Attest:
A. T. BLACK,
CHARLES A. STINE,
Clerks of the Election.

Tally-paper or list of votes, for each person voted for at the said election, by the qualified voters of ——— county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz, in Adams county, had three votes; William H. Koontz, in Somerset county, had one vote; William H. Koontz, in Bedford county, had four votes; William H. Koontz, in Franklin county, had two votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

Witness our hands the day and year aforesaid.

——— ———,
——— ———,
Clerks.

Return of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of the several counties of the State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll or their proper place of election, at McClellan United States army general hospital, being the place selected by the said electors for opening the poll for this election, there were cast one hundred and six votes.

For representative in the House of Representatives in the Congress of the United States, one hundred and six votes; of which William H. Koontz had ten (10) votes.

A true return of the election, held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

_____ _____,
_____ _____,
Judges of the said Election.

Attest:

_____ _____,
_____ _____,
Clerks.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, March 31, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of the return of an election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, so far as the same relates to the counties of Adams, Bedford, Franklin, and Somerset, at McClellan United States army general hospital, as the same remains on file in this office.

In witness whereof, I have hereunto set my hand, and caused the seal [SEAL.] of said office to be affixed, this thirty-first day of March, A. D. one thousand eight hundred and sixty-six.

ELI SLIFER,
Secretary of the Commonwealth.

No. 21.

PAPER D.—*List of voters of Franklin township of an election held at the house of John P. Butt, October* 11, 1864.

1 Jacob Fulweiler.
2 William Ruff.
3 John Shank.
4 Abraham Kyme.
5 John W. Lott.
6 Lewis Carbaugh.
7 Noah Hartman.
8 Levi Taylor.
9 Philip Friea.
10 John Pottorff.
11 Isaac Sterner.
12 Conrad Thomas
13 Hamilton Silix.
14 Abraham Mickley.
15 William Pettis,
16 Hezekiah Latshaw.
17 Nicholas Bieseker, of Jacob.
18 E. D. Newman.
19 Andrew McKenrick.
20 Ephraim Thomas.
21 Peter Hart.
22 Jacob Deardorff.
23 Samuel Swope.
24 Henry Witmer.
25 Tobias R. Cover.
26 Alexander Bucher.
27 John Lower.
28 Henry Swartz.
29 David Slonaker.
30 George Arendt.
31 Peter Stambaugh.
32 John Shull.
33 Samuel Bingamon.
34 Martin Carbaugh.
35 Jacob Ercholtz.
36 Jacob Shank.
37 James L. Taylor.
38 Samuel Steinour.
39 Jacob F. Lower.
40 John Arendt.
41 Thomas L. Taylor.
42 George Thomas.
43 Elias Spangler.
44 George Bear.
45 George Plank, of G.
46 John Hartman.
47 Arnold Lives.
48 Lewis Miller.
49 Henry Shetlz.
50 William Slonaker.
51 Adam Bucher.
52 Silus McClure.
53 Peter Mickley, of P.
54 Albert Vandyke.
55 Charles Hartzell.
56 Levi Gilbert.
57 Jacob Cole.
58 Abner Kuhn.
59 Tobias Miller.
60 John Baker.
61 John Rollman.
62 William Dillman.

63 Henry Mickley.
64 Jeremiah McGaughy
65 George Corwell.
66 Jacob Lady.
67 Jacob Ogler.
68 James Lynn.
69 Jacob Mickley, sr.
70 Joseph Smith.
71 Joseph Taylor.
72 Jacob Wolf.
73 John Bittenger, of J.
74 John Orner.
75 John Dillman.
76 George A. Gay.
77 Wm. C. Stem, Dr.
78 Peter Henry.
79 Henry Moonshower.
80 Franklin Biesecker.
81 Daniel Wingert.
82 Christian Baker.
83 Peter Moritz.
84 Samuel McKenrick.
85 Nicholas Miller.
86 Michael Elusser.
87 Levi Humer.
88 William Russell.
89 Robert McGaughy.
90 John Nary.
91 Philip Thomas.
92 Thomas F. Grammer.
93 John Baker.
94 William Baker.
95 John Raffensberger.
96 Victor K. McIlheny.
97 Henry Ebily.
98 George W. Lady.
99 William F. Lott.
100 Jacob Biedecker, sr.
101 Ephraim Moritz.
102 Samuel Bucher.
103 Henry Brinkerhoff.
104 Henry Hartman.
105 Jacob Biesecker.
106 J. J. Biesecker.
107 Robert Galbreath.
108 James Currens.
109 George Dagwalt.
110 N. W. Sterling.
111 Fred'k Stockslager.
112 G. A. Moore.
113 Francis Will.
114 Frederick D. Smith.
115 James B. Riteson.
116 Alexander D. Ogler.
117 Samuel Bingamon.
118 Peter Hake.
119 Samuel Warner.
120 Jacob Shank, of C.
121 Abraham Hart, sr.
122 George Prone.
123 Henry Cump.
124 John Brady.
125 Jacob Shaner.
126 Charles Mickley.
127 Solomon Hartman.
128 Moses Hinkle.
129 John Eply.
130 Henry Stienour.
131 Robert Blakely.
132 Amos Fisher.
133 Samuel Lohr.
134 James Russel.
135 Alexander Miller.
136 Rhinehart Miller.
137 Frederick Diehl.
138 Abdial Slonaker.
139 Christian Dittenhafer.
140 Joseph Rebert
141 Joseph Dillon.
142 C. M. Sphar.
143 James E. Ross.
144 Peter D. Miller.
145 Joseph Wible.
146 William Geyer.
147 Augustus Mickley.
148 William Orr.
149 William Scott.
150 Peter Schlosser.
151 Leonard Hyle.
152 J. R. Miller.
153 John P. Butt.
154 Joseph Humer.
155 Jacob Hoke.
156 Daniel Hentzellman.
157 Aaron Shank.
158 Thomas Goodman.
159 Jacob Minter.
160 Michael Schlosser
161 Nicholas Goodermuth.
162 Peter Shull.
163 George Funt, age.
164 Charles Sterner.
165 Henry Miltenberger.
166 Victor McIlheny.
167 Jabob Baker.
168 Henry Shaner.
169 Conrad Eckert.
170 Peter Overdier.
171 George Hollabaugh.
172 John Gallacher.
173 Abraham Hart, jr.
174 William Eyster.
175 Samuel Borrell.
176 Valentine Fritz.
177 Henry Wildersin.
178 Conrad Keiser.
179 William Wentz.
180 Peter Thisler.
181 George Settle.
182 Jacob Hartman.
183 John Clark.
184 William Kane.
185 Jeremiah Biesecker.
186 Samuel Thomas.
187 William Funt.
188 Samuel Eicholtz.
189 Martin Wisler.
190 Daniel Mickley, of J. L.
191 Charles Shutz.
192 Henry Deardorff.
193 Michael Detrick.
194 John Stover.
195 Jacob Bluebaugh.
196 George Biesecker.
197 Albert Weaver.
198 Samuel Seabrooks.
199 John Kendel.
200 Jacob Plank.
201 William Spangler.
202 Peter Kecler.
203 Conrad Stutz.
204 Andrew Hartman.
205 Eward Stahle.
206 John Currens.
207 Peter Adams.
208 John Stahle.
209 Peter Batzley.
210 David Deardorff.
211 Andrew Hentzelman.
212 George Lady.
213 John Lauber.
214 Martin Miltenberger.
215 William Young.
216 John Kemble.
217 Martin Miller.
218 Jacob Mark.
219 Henry Pottorff.
220 Henry Laurer.
221 Mathias Walter.
222 Levi Minter.
223 Joseph F. Warner.
224 John Bittinger.
225 Henry Knouse.
226 Peter Dillon.
227 George Cole.
228 Augustus Fromyer.
229 Peter Ryme.

230 John Deardorff.
231 Casper Rothaupt.
232 Lafaette Flickinger.
233 Henry Lady.
234 James Irwin.
235 Joseph Lives.
236 John Prone.
237 Abraham.
238 Thomas Anderson.
239 Andrew Cluck.
240 William Shepherd.
241 Isaac Lawver.
242 Samuel Sterner.
243 David Young.
244 Andrew Wisler.
245 Joseph Emly.
246 Andrew Hentzelman.
247 Jonathan Wisler.
248 Daniel Heiges.
249 Samuel Lawver.
250 Adam Deardorff.
251 William Settle.
252 Isaiah Stockslager.
253 James R. Wilson.
254 Israel Settle.
255 Nicholas L. Biesecker.
256 Amas Diehl.
257 David Beecher, jr.
258 Ele Hartman.
259 Samuel Stockslager.
260 Michael Rice.
261 George W. Erb.
262 John Elesesser.
263 David B. Shank.
264 Charles McKenrick.
265 Peter Comfort.
266 Adam Biesecker.
267 John Biesecker.
268 Peter Brough.
269 John Lentz.
270 Israel Myers.
271 Levi Irvin.
272 William Irvin.
273 J. P. Brenneman.
274 Theodore Kemble.
275 George Hartman.
276 Peter Boblitz.
277 Andrew Baker.
278 Joseph Baker.
279 Thomas Ball.
280 Andrew Noel.
281 John Walter.
282 Israel Saum.
283 John Chamberlin.
284 Jacob Mickley, of D.
285 Jacob Saum.
286 James Spencer.
287 David Thomas.
288 John Cole.
289 Philip Clutshawl.
290 John Fleck.
291 James McIlvain.
292 Jacob Shugler.
293 Samuel Brady.
294 John C. Chamberlin.
295 Samuel Bercaw.
296 John Musser.
297 John McKenrick.
298 Joseph Rife.
299 William Lady.
300 John Carpenter.
301 William Carpenter.
302 Jacob Mickley
303 Daniel Mickley.
304 Michael Slover.
305 Levi Heiges.
306 Henry Fritz.
307 Daniel Koon.
308 Jacob B. Hartman.
309 George Lawver.
310 Ezra B. McGlaughlin.
311 John Rife.
312 George Walter.
313 Simon Haner.
314 Henry Kahn.
315 Daniel Settle.
316 Daniel Leer.
317 Jacob Deardorff.
318 Noah Sheely.
319 Ephraim Sheely.
320 Robert McCleof.
321 Harrison Brough.
322 William Wierman.
323 Jonas Orner.
324 Samuel Hart.
325 Henry Hershey.
326 Peter Ketterman.
327 Jacob R. Groop.
328 Henry Ramer.
329 Hanson McIlvain.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas of said county, hereby certify that the foregoing is a true and correct copy of the list of voters from Franklin township, Adams county, Pennsylvania, at the congressional election held October 11, 1864, as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of [SEAL.] said court, this 23d day of April, A. D. 1866.

J. A. KITZMILLER, *Prothonotary.*

No. 22.

PAPER E.—*Certificate general election.*

In compliance with law, we, the undersigned, being duly elected and sworn according to law judge and inspectors of the general election held on Tuesday, the 11th instant, (being the second Tuesday of October, A. D. 1864,) at the private house of John P. Butt, in the township of Franklin, Adams county, for the election district composed of the township of Franklin, in and for the said county of Adams, do certify that, upon closing the poll and counting the votes according to law, it appeared that for the office of—

Congress: Alexander H. Coffroth received one hundred and ninety-seven (197) votes; William H. Koontz received one hundred and thirty-five (135) votes.

Assembly: James H. Marshall received one hundred and ninety-seven (197) votes; David M. Myers received one hundred and thirty-four (134) votes.

Commissioner: Abraham Krise, of P., received one hundred and ninety-seven (197) votes; John Day received one hundred and thirty-five (135) votes.

Director of the poor: John N. Craft received one hundred and eighty-eight (188) votes; Ephraim D. Newman received one hundred and forty-four (144) votes.

County auditor: Joseph Burkee, 3 years, received one hundred and ninety-six (196) votes; Jacob Hull, 2 years, received one hundred and ninety-six (196) votes; Isaac N. Durboraw, 3 years, received one hundred and thirty-six (136) votes; Joseph Kepner, 2 years, received one hundred and thirty-six (136) votes.

F. DIEHL, *Judge.* [SEAL.]
SAMUEL H. SWOPE,
ALEXANDER G. BUCHES, [SEAL.]
Inspectors.

Attest:
THOS. F. GRAMMER,
TOBIAS R. COVER,
Clerks.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas of said county hereby certify that the foregoing is a true and correct copy of certificate of the election return of the township of Franklin, on file in the prothonotary's office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court this 24th day of April, A. D. 1866.

[SEAL.]

J. A. KITZMILLER, *Prothonotary.*

No. 23.

PAPER F.—*List of voters who voted at an election held at the house of David Bluebaugh, in the borough of Gettysburg, (for the township of Cumberland,) for the election of county and State officers, to serve for the coming term. Election held on Tuesday, the 11th day of October,* 1864.

1 Henry Myers, 1
2 Henry Meals, 1
3 Lewis Murford, P., 1
4 Solomon Gazette, 1
5 Nicholas Selser, 1
6 John Crist, 1
7 Nicholas Hoffman, 1
8 Samuel Rose, P., 1
9 Patrick Mulligan, P., 1
10 George Kline, 1
11 Andrew Kunce, 1
12 Richard Stevens, 1
13 Jacob Bullinger, 1
14 David P. Weikert, 1
15 George Luther, 1
16 Franklin Swisser, 1
17 Samuel Beard, 1
18 Solomon Myers, 1
19 William Keefer, 1
20 Geo. B. Stover, 1
21 Geo. W. Morgan, 1
22 John Wantz, 1
23 Alfred Slonaker, 1
24 Samuel Johns, 1
25 John Keefauver, 1
26 John Arendt, 1
27 Jacob Swisser, 1
28 John Group, 1
29 Nathaniel Lightner, 1
30 A. M. Walker, 1
31 G. W. Weikert, 1
32 Charles Polly, 1
33 John Herbst, 1
34 David Wisler, 1
35 John W. Hoofnaugle, 1
36 Henry Hoofnaugle, 1
37 Samuel Pitzer, 1
38 Daniel Shaner, 1
39 Corn'lus Brinkerhoff, 1
40 Jerome J. Sneeringer, 1
41 Wm. H. Weikert, 1
42 James B. Weltz, 1
43 Christian Spatman, 1
44 Jacob Hollinger, 1
45 George Bushman, 1
46 Jacob Lott, 1
47 Andrew Thomas, 1
48 William E. Myers, 1
49 Amos Plank, 1
50 John Q. Allewelt, 1
51 Corn's Daugherty, 1
52 Isaac Leeper, 1
53 Francis Bream, 1
54 John Gundermooth, 1

55 Jesse Sharritz, 1
56 Peter Hoofnaugle, 1
57 Isaiah Cashey, 1
58 Daniel Plank, 1
59 William Kline, 1
60 Amos Lister, 1
61 George Culp, 1
62 John Johns, 1
63 John Armstrong, 1
64 Henry Hilt, 1
65 Wm. Keefauver, 1
66 David Schriver, 1
67 Milchior Sox, 1
68 Jacob Kauffman, 1
69 Wm. H. Duttero, 1
70 John Plank, 1
71 Emanuel Weikert, 1
73 Levi Spangler, 1
74 Emanuel Pitzer, 1
75 Henry W. Cromer, 1
76 E. O. Currens, 1
77 Albert Wisler, 1
78 Harvey Cobean, 1
79 William Centz, 1
80 James W. Butt, 1
81 Geo. Weikert, sen., 1
82 Jacob Maring, 1
83 Isaac T. Schriver, 1
84 David Maring, 1
85 Henry H. Jacobs, 1
86 Abner Mills, 1
87 Geo. W. Phillips, 1
88 David Beecher, 1
89 Joseph Walker, 1
90 Henry Moonshower, 1
91 William Hamer, 1
92 John Sox, 1
93 Wm. Cromer, 1
94 Levi M. Plank, 1
95 George Dull, 1
96 Jacob Peters, 1
97 H. P. Bigham, 1
98 John Weltz, 1
99 Wm. C. Robison, 1
100 Alex. Currens, 1
101 Wm. Currens, 1
102 Philip Snyder, 1
103 Wm. Allison, jr., 1
104 O. A. Horner, 1
105 David Horner, 1
106 James McAlister, 1
107 George Musser, 1
108 William Allison, 1
109 John Black, 1
110 Geo. Weikert, 1
111 Wm. H. Lott, 1
112 Thaddeus Stultz, 1
113 Jacob Myers, 1
114 Jas. P. Tompson, 1
115 John Hoofnagle, 1
116 Henry Rodes, 1
117 Samuel Rodes, 1
118 Michael Fry, 1
119 Raphel Sheriff, 1
120 H. S. Toot, 1
121 John Flaharty, 1
122 Jesse Hoffman, 1
123 Geo. R. Culp, 1
124 Michael Deaner, 1
125 Peter D. Swisser, 1
126 Michael Miller, 1
127 Philip Reading, 1
128 Nich. Reading, 1
129 Christian Shaffer, 1
130 Joseph Reading, 1
131 J. Hummelbaugh, 1
132 Daniel Keefauver, 1
133 Sam'l Winterode, 1
134 Charles Shem, 1
135 Henry Riddlemoser, 1
136 Jacob Culp, 1
137 George Wolf, 1
138 Wm. G. Black, 1
139 Abraham Plank, 1
140 Lewis Hoope, 1
141 George Guinn, sen., 1
142 Samuel Allison, 1
143 Jacob Deardorff, 1
144 Henry L. Bream, 1
145 Michael Crist, 1
146 Wm. A. Butt, 1
147 Wm. B. Walker, 1
148 Jas. H. Thompson, 1
149 James E. Flaharty, 1
160 William Felix, 1
151 Isaac Johns, 1
152 Jacob Hershey, 1
153 Wm. F. Weikert, 1
154 John N. Selser, 1
155 Leonard Bricker, 1
156 John T. Slentz, 1
157 John E. Pitzer, 1
158 Wm. Johns, 1
159 Henry Gipe, 1
160 Geo. Waybright, 1
161 Samuel Folk, 1
162 Thomas Nolan, 1
163 Isaiah Mealheim, 1
164 Isaac Deardorff, 1
165 Frederic Hankey, 1
166 John Maring, 1
167 Joseph Bailey, 1
168 James Black, 1
169 John K. Bailey, 1
170 John N. Hoffman, 1
171 Anthony B. Kurtz, 1
172 Jacob E. Schriver, 1
173 Daniel Hoffman, 1
174 John Hamilton, 1
175 Charles Herbst, 1
176 John Forney.
177 Benjamin Wisler.
178 Solomon Allison.
179 Henry Hartzell.
180 John A. Lohr.
181 John F. Hoffman.
182 Thomas Scott.
183 George Schriver, 1
184 John Slonaker, 1
185 J. S. Walker, 1
186 P. D. W. Hankey, 1
187 Josephus Mills, 1
188 John E. Hamilton, 1
189 James Waid, 1
190 Christian Schriver, 1
191 Lewis P. Schriver, 1
192 William Ross, 1
193 Henry Lott, 1
194 Andrew Keefauver, 1
195 Althadore Bushman, 1
196 George Starry, 1
197 Daniel Hartman, 1
198 Abraham Spangler, 1
199 Joshua Flaharty, 1
200 Nicholas Eckenrode, 1
201 Edward Winterode, 1
202 D. W. Finfrock, 1
203 Tempes Keller, 1
204 Nicholas Reiling, 1
205 William Plank, 1
206 Samuel Hartzell, 1
207 George Spangler, 1
208 John Currens, 1
209 James McCullough, 1
210 Daniel Plank, 1
211 Eli Horner, 1
212 Jacob Weikert, 1
213 Marks Forney, 1
214 Chas. M. Gallacher, 1
215 George Bishop, 1
216 James Smith, 1
217 George Fissle, 1
218 Corn'ls Houghtelin, 1
219 George Epply, 1
220 Adam Bollinger, 1
221 James Weikert, 1
222 Levi D. Mans, 1
223 Henry Clutz, 1

224 Henry Essick, 1
225 George Essick, 1
226 Samuel Dixon, 1
227 Solomon Miller, 1
228 William Patterson, 1
229 John Rose, 1
230 Henry Spangler, 1
231 John Blucher, 1
232 David Essick, 1
233 Lewis Bushman, 1
234 William Clutz, 1
235 Sam. McAllister, 1
236 Jacob Stevens, 1
237 John Staub, 1
238 Edward Hall, 1
239 Peter Gintling, 1
240 Samuel Cobean, 1
241 John Herding, 1
242 Peter Weikert, 1
243 John Martin, 1
245 William Forney, 1
246 John M. Socks, 1
247 David Blucher, 1.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas of said county, hereby certify that the foregoing is a true and correct copy of the list of voters for Cumberland township, Adams county, Pennsylvania, at the congressional election held October 11, 1864, as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, this 23d day of April, A. D. 1866.

[SEAL.]

J. A. KITZMILLER, *Prothonotary.*

No. 24.

PAPER G.—*Certificate general election.*

In compliance with law, we, the undersigned, being duly elected and sworn according to law, judge and inspectors of the general election held on Tuesday, the 11th instant, (being the second Tuesday of October, A. D. 1864,) at the public house of David Bluebaugh, in the borough of Gettysburg, Adams county, for the election district composed of the township of Cumberland, in and for said county of Adams, do certify that, upon closing the poll and counting the votes according to law, it appeared that for the office of—

		Majority.
Congress: Alexander Coffroth, one hundred and thirty-two	132	16
William H. Koontz, one hundred and sixteen	116	
Assembly: James H. Marshall, one hundred and thirty-three	133	18
David M. Myers, one hundred and fifteen	115	
County commissioner: Abraham Krise, one hundred and thirty-four	134	20
John Day, one hundred and fourteen	114	
Director of the poor: John N. Graft, one hundred and thirty-two	132	16
Ephraim D. Newman, one hundred and sixteen	116	
County auditor: Joseph Burkee, one hundred and thirty-two	132	
Jacob Hull, one hundred and thirty-two	132	16
Isaac N. Durborow, one hundred and sixteen	116	
Joseph Kepner, one hundred and sixteen	116	

FRANCIS BREAM, *Judge.*
ISAAC LEEPER,
GEORGE BUSHMAN,
Inspectors.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas of said county, hereby certify that the foregoing is a true and correct copy of certificate of the election return of the township of Cumberland, on file in the prothonotary's office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, this 24th day of April, A. D. 1866.

[SEAL.]

J. A. KITZMILLER,
Prothonotary.

No. 25.

PAPER H.—*Certificate general election.*

In compliance with law, we, the undersigned, being duly elected and sworn, according to law, judges and inspectors of the general election, held on Tuesday the 11th instant, (being the second Tuesday of October, A. D. 1864,) at the public school-house in the township of Hamiltonban, Adams county, for the election district composed of the townships of Liberty and Hamiltonban, in and for said county of Adams, do certify that on closing the polls and counting the votes according to law, it appeared that for the office of—

Congress: A. H. Coffroth had one hundred and fifty-five (155) votes; William H. Koontz had one hundred and sixty-five (165) votes.

Assembly: James H. Marshall had one hundred and sixty-four (164) votes; David M. Myers had one hundred and fifty-six (156) votes.

Commissioner: Abraham Krise, of P., had one hundred and fifty-four (154) votes; John Day had one hundred and sixty-five (165) votes.

Directors of the poor: John N. Graft had one hundred and fifty-five (155) votes; Ephraim D. Newman had one hundred and sixty-five (165) votes.

Auditor: Joseph Burkee (for 3 years) had one hundred and fifty-five (155) votes; Jacob Hull (for 2 years) had one hundred and fifty-five (155) votes; Isaac N. Durboraw (for 3 years) had one hundred and sixty-five (165) votes; Joseph Kepner (for 2 years) had one hundred and sixty-five (165) votes.

GEORGE TRENKLE,
ABRAHAM KRISE,
Judges.
JOHN W. McCONNELL,
JOHN H. SHIELDS,
JAMES O. BREEN,
SAMUEL KRISE,
Inspectors.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas of said county, hereby certify that the foregoing is a true and correct copy of certificate of the election return of the townships of Liberty and Hamiltonban on file in the prothonotary's office.

[SEAL.] In testimony whereof, I have hereunto set my hand and affixed the seal of said court, this 23d day of April, A. D. 1866.

J. A. KITZMILLER,
Prothonotary.

STATE OF PENNSYLVANIA, *Adams county, ss:*

I, Jacob A. Kitzmiller, prothonotary of the court of common pleas of Adams county, State of Pennsylvania, do hereby certify that there is no return on file in this office of an election for member of Congress on the second Tuesday of October, A. D. 1864, from the 3d division general hospital, Alexandria, Virginia, and that no such return was included in the computation made by the return judges of Adams county, after the October election in 1864.

In witness whereof, I have hereunto set my hand and the seal of said court, at Gettysburg, Pennsylvania, this fifth day of May, A. D. 1866.

[SEAL.]

J. A. KITZMILLER,
Prothonotary

No. 27.

Depositions of witnesses taken by me, the undersigned commissioner, at my office, in the borough of Somerset, Somerset county, Pennsylvania, on the 28th of April last, and on other days within mentioned, duly appointed to take testimony in said county, by virtue of an article of agreement between A. H. Coffroth, esq., sitting member, and William H. Koontz, esq., contestant, hereto attached, in the matter of the contest in the 16th (sixteenth) congressional district of Pennsylvania, for a seat in the 39th (thirty-ninth) Congress of the United States.

Testimony in behalf of the contestant.

Almira Brennerd sworn.

Examined by W. H. Koontz, esq.:

I know Hezekiah Hite, formerly of this borough, (Somerset borough.) I am his mother. He was born on the seventh of February, after the big convention in 1844. He is now in New York; has been gone about three months.

Cross-examined by J. O. Kimmel, esq., counsel for A. H. Coffroth, esq.:

I know the convention was in 1844, because I heard some count it up. I don't know it of my own knowledge.

In chief:

It was in the spring of the year after Polk ran for President.

Cross-examined by J. O. Kimmel, esq.:

I can't say in what year Polk ran for President.

Eli K. Haines affirmed.

Examined by W. H. Koontz, esq.:

I was present at the general election on the second Tuesday of October, 1864. Hezekiah Hite offered to vote at that election, and his vote was challenged on account of his minority. His vote was received by the board, upon his swearing that he was between the age of twenty-one and twenty-two. He offered to vote at the presidential election of the same year. His vote was challenged again, and was not received. The board refused his vote upon the information made by Almira Brennerd before a justice of the peace, which showed that he was under twenty years of age.

(J. O. Kimmel, esq., counsel for A. H. Coffroth, esq., objects to the latter clause of the above testimony of Eli K. Haines, commencing at the sentence, "The board refused," unto the end of the sentence.)

In chief:

A. H. Coffroth was with Hezekiah Hite at the October election in 1864, insisting that said Hite had a right to vote.

Cross-examined by J. O. Kimmel, esq.:

I can't say who Hezekiah Hite voted for.

Samuel H. Shaffer sworn.

Examined by W. H. Koontz, esq.:

I reside in the borough of Somerset. I know Hezekiah Hite. In a conversation with him he said that he voted for Alec. Coffroth for Congress in 1864. He was talking of the Congressman Coffroth. This conversation took place this winter—that is, the winter of 1865 and 1866.

Cross-examined by J. O. Kimmel, esq.:

He said he voted last fall a year.

May 1, 1866.

The testimony of Benjamin Kline taken by consent.

Benjamin Kline sworn.

Examined by Wm. H. Koontz, esq.:

I know Lewis Andrews. He lived in Jenner township, Somerset county, Pennsylvania, from May, 1864, until about April, 1865. He was a grocery-man; kept cakes, candies, beer, &c. I assessed him in the fall of 1864; it was ten days before the October election. I was elected in March, 1864, assessor for Jenner township. The former assessor died, and I was sworn in and discharged the duties of assessor. He had the bar-room rented of the old tavern, in which he kept his shop. He slept there, cooked there, and eat there.

Cross-examined by A. J. Colborn, esq., counsel for A. H. Coffroth, esq.: Gabriel Giudlesperger occupied the back part of the house. Dr. Bean had his office at the side of the grocery. Mr. Andrews said his family lived in Donegal, Westmoreland county.

In chief:

I don't know that he has a family, except what he told me.

May 3, 1866.

The following testimony taken on behalf of Wm. H. Koontz, esq., by consent:

Hiram Wellman sworn.

Examined by Wm. H. Koontz, esq.:

I reside in the borough of Wellersburg, in Somerset county, and did in 1864. I was constable of Wellersburg borough in 1864. I was present at the opening of the election polls in said borough the second Tuesday of October, 1864. I declared the polls open when the inspectors said they were ready. It was half past eleven o'clock of the day when the polls were opened. There was not a full vote; some three or four votes that were not polled; can't say what was the reason; whether it was because the polls were opened so late or not.

Cross-examined by A. J. Colborne, esq., one of the counsel of A. H. Coffroth, esq.:

Rudolph Statler was an inspector, Eli Shaffer was judge, and I think Levi Shockey was the other inspector of the election board. Rudolph Statler is in town now, (Somerset.) There were some fifty or sixty votes polled in that borough; it may be more, or less, I cannot say. I suppose that all the voters would have had time to vote; they had plenty time if they chose to vote. Benjamin Ruepper did not vote, I think. I fix the time by the time-pieces that I examined at the time. There was about an equal number of voters of both parties away.

In chief:

They would have had time to vote, if they had been there, after the polls were opened.

May 9, 1866.

The testimony of the following witness was taken on behalf of Wm. H. Koontz, esq.:

William H. Welfley affirmed.

Examined by Wm. H. Koontz, esq.:

In October, 1864, I resided in Salisbury borough Somerset county, Pennsylvania, but I now reside in New Centreville borough, in said county. I know

Washington Newman; he voted at the October election in 1864, in Salisbury borough; he offered to vote at the November election following, but his vote was rejected on the ground of his being a minor; he is now dead; he was a democrat; he voted the democratic ticket at the October election, 1864. There was no scratching done on the ticket except for the legislature. Koontz received twenty votes is Salisbury borough. I know they were cast by other men than Newman. There were forty-six votes cast at the election in October, 1864, at Salisbury borough.

Cross-examined by Geo. F. Baer, esq., one of the counsel of A. H. Coffroth, esq.:

I did not see Newman vote; I did not see the ticket he voted; I know his vote was rejected at the November election in 1864, because I challenged the vote. I did not see those twenty men vote—that is, not all of them. I did not see their tickets as they were handed into the box—that is, not all of them. I don't think that any of the twenty men that I supposed voted for Koontz would have voted for Coffroth. There were twenty republicans who voted in the borough, nearly all of whom, with the exception of two or three, belonged to a club pledged to support the republican ticket. It was not disputed, and generally understood, that Newman voted the democratic ticket. I can tell how the republicans voted from conversations had with them.

Recalled, in chief:

I know John Miers, of Elk Lick township, Somerset county; he was in the army. I think he went into the army early in 1862; he belonged to company H, 54th regiment Pennsylvania volunteers. I am not certain, but think I had a conversation with him in regard to voting. In conversation with other parties before, we came to the conclusion that the reason his vote was sent to Salisbury borough was, that it was the place for voting for Elk Lick township before he went into the army, and I think, in the conversation with him at Cumberland, he explained it in the same way.

I know John Hahn, of Elk Lick township; he was in the army, company C, 54th regiment Pennsylvania volunteers, which was afterwards consolidated into company H, 54th regiment Pennsylvania volunteers. Salisbury was the place of election for Elk Lick township before it was incorporated.

Cross-examined by Geo. F. Baer, one of the counsel of A. H. Coffroth, esq.:

I knew John Miers before he went into the army. I can't say how old he was then; at the time of the election he might have been twenty-one years of age. His father used to live in Elk Lick township. I don't know where he now lives. I can't say when he left Elk Lick township. I can't give you the exact date of the conversation with John Miers. I won't be so very certain that I had a conversation with him; several weeks after the election I think I saw him.

Eli K. Haines recalled:

In 1864 I was chairman of the republican county committee of Somerset county. I have paid a number of soldiers' taxes for the year 1864. I paid between the amount of sixty and seventy dollars for taxes. I paid the taxes for two hundred and fifty soldiers of this county of Somerset, as near as I can say. I paid the majority of the taxes to the treasurer of Somerset county, Isaac Simpson. Mr. Simpson is now at Mount Pleasant, Westmoreland county, Pennsylvania. I have examined the list marked A, hereunto attached; from a private paper in my possession, which refreshes my memory, I find I have paid the taxes of fourteen persons mentioned on list marked A, viz: In Allegheny township, William Kelley and Henry Ware; in Summit township, Josiah Heckerl; in Southampton township, Adam Troutman and John Heusel; in

Elk Lick township, William Lichty and Archibald Livergood; in Northampton township, William Liberger, George W. Liberger; in Lower Turkeyfoot township, Samuel Nicholson; in Brother's Valley township, Benjamin P. Hay, John E. Hay, Andrew J. Parker, and A. J. Dickey.

I have a recollection of paying the taxes of the two Ellis boys, in the 54th regiment Pennsylvania volunteers, but it is faint; I could not be positive. John Ellis is one of the boys I refer to. I made an effort to pay the taxes of the soldiers of the county of Somerset in the army as far as I could ascertain them. The taxes I paid were upon the presentation of the certificate of assessment by the assessor of the different townships. I then forwarded the certificate and tax receipt to the respective soldiers in the army.

Cross-examined by Geo. F. Baer, esq.:

I am not able to say to whom I paid William Kelley's tax, but think I paid it to Simpson. I have no recollection of paying it to the collector of Allegheny township. The amount of the tax, I think, was ten cents. I had a certificate of assessment. I had a certificate of assessment for all the names referred to that I paid taxes for.

The following certificates and copies of record were produced by William H Koontz, esq., and are hereto attached, viz:

A certificate of the prothonotary of Somerset county, Pennsylvania, in regard to the vote of Hezekiah Hite, in Somerset borough, on the 11th of October, 1864.

A certified copy of the returns of an election held in Wellersburg borough, Somerset county, Pennsylvania, on the 11th of October, 1864, as far as relates to Congress.

A certificate of the prothonotary of Somerset county, in regard to the vote of Washington Newman, in Salisbury borough, on the 11th of October, 1864.

A certified copy of the poll-book and tally-papers, and numbers and names of electors, and at an election held at barracks No. 1, Soldiers' Rest, Washington, D. C., as returned to and filed in the prothonotary's office of York county.

A certified copy of the poll-book, tally-papers, &c., at an election held on the second Tuesday of October, 1864, at Haddington, United States army general hospital, West Philadelphia, as far as relates to Congress, in the counties of Somerset and Fulton, as remains on file in the office of the secretary of the commonwealth of Pennsylvania.

A certified copy of the return of an election held on the second Tuesday of October, 1864, at camp near Bermuda Hundred, Virginia, as far as relates to the vote for Congress in Somerset county, as remains on file in the office of the secretary of the commonwealth of Pennsylvania.

Copies of the notice served on the counsel of A. H. Coffroth, as to the witnesses, and the time and place of taking the testimony, are also attached hereto.

SOMERSET COUNTY, *State of Pennsylvania, ss:*

I, Herman L. Baer, the foregoing-named commissioner of Somerset county, do certify that Almira Brennerd, Eli K. Haines, Samuel H. Shaffer, Benjamin Kline, Hiram Wellman, and William H. Welfley, the foregoing-named witnesses, were produced by Wm. H. Koontz, esq., in the aforesaid contest, before me, at my office in the borough of Somerset, county of Somerset, (as the testimony shows;) and after being sworn or affirmed, their foregoing depositions were taken down by me in the presence of the said W. H. Koontz, esq., and John O. Kimmel, esq., or other counsel of A. H. Croffroth, esq., as the testimony will show.

Witness my hand and seal this 9th day of May, A. D. 1866.

[SEAL.] HERMAN L. BAER, *Commissioner.*

STATE OF PENNSYLVANIA, *Somerset county, ss:*

I, Cyrus Meyers, prothonotary of the court of common pleas of said county do hereby certify that I have examined the list of voters of Somerset borough, in said county, who voted at the general election held October 11, 1864, which remains on file in my office; and I find among the voters at said election the name of Hezekiah Hite, being the one hundred and twenty-eighth name on the said list.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at Somerset, this 28th day of April, A. D. 1866.

[SEAL.] C. MEYERS, *Prothonotary.*

Among the records of the court of common pleas of Somerset county, Pennsylvania, is found the following:

Return of an election held on Tuesday, the 11th day of October, 1864, *in and for the borough of Wellersburg.*

To the judges delegated from the different districts of the county of Somerset to meet at the court-house in the borough of Somerset:

At an election held on Tuesday, the 11th day of October, 1864, at the school-house in the borough of Wellersburg, in the county of Somerset, on closing the poll and counting the votes it appeared that for Congress Alexander H. Coffroth had votes twenty-four, (24;) William H. Koontz had votes seventeen, (17.)

In testimony, we, the inspectors and judge of the said district, have hereunto set our hands and seals the 11th day of October, A. D. 1864.

LEVI SHOCKEY. [SEAL.]
RUDOLPH STATTER. [SEAL.]
ELI SHAFER. [SEAL.]

Attest:
JAIRES R. SHOCKEY,
F. K. HALL,
Clerks.

STATE OF PENNSYLVANIA, *Somerset county, ss:*

I, Cyrus Meyers, prothonotary of the court of common pleas of Somerset county, Pennsylvania, do hereby certify that the foregoing is a correct copy of the return of an election held in the borough of Wellersburg on Tuesday, the 11th day of October, 1864, so far as the same pertains to the office of Congress, which said return remains on file in my office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at Somerset, this 28th day of April, A. D. 1866.

[SEAL.] CYRUS MEYERS,
Prothonotary.

STATE OF PENNSYLVANIA, *County of Somerset, ss:*

I, Cyrus Meyers, prothonotary of the court of common pleas of said county, hereby certify that among the returns of an election held in Salisbury borough, Somerset county, Pennsylvania, on October 11th, 1864, in the list of voters of said election it is thus contained: "*No.* 18. *Washington Newman, on age,*" as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at Somerset, this 9th day of May, A. D. 1866.

[SEAL.] CYRUS MEYERS,
Prothonotary.

WILLIAM H. KOONTZ
vs.
ALEXANDER H. COFFROTH.

In the matter of the contested election case from the sixteenth congressional district of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, Franklin, and Adams, pending before the thirty-ninth Congress of the United States.

SIR: Please to take notice, that the depositions of Hiram Wellman and other witnesses, to be read in evidence on the part of William H. Koontz, in the hearing of the above case before the Committee of Elections of the thirty-ninth Congress, will be taken before Herman L. Baer, esquire, commissioner for Somerset county, at his office in the borough of Somerset, on Saturday, the 28th day of April, A. D. 1866, between the hours of 10 o'clock a. m. and 10 o'clock p. m. of said day, and to continue from day to day until the testimony of said witnesses may be taken, when and where you may attend if you see proper.

Respectfully, yours,

W. H. KOONTZ.

JOHN O. KIMMEL, Esq.,
Attorney for A. H. Coffroth.

Service of this rule accepted April 18, 1866.

J. O. KIMMEL,
Attorney of Coffroth.

WILLIAM H. KOONTZ
vs.
ALEXANDER H. COFFROTH.

In the matter of the contested election case from the sixteenth congressional district of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, Franklin, and Adams, pending before the thirty-ninth Congress of the United States.

SIR: Please to take notice, that the depositions of Eli K. Haines, esquire, and other witnesses, to be read in evidence on the part of Willian H. Koontz, on the hearing of the above case before the Committee of Elections of the thirty-ninth Congress, will be taken before Herman L. Baer, esquire, commissioner, at his office in the borough of Somerset, on Wednesday, the 9th day of May, A. D. 1866, between the hours of 10 o'clock a. m. and 10 o'clock p. m. of said day, and to continue from day to day until the testimony of said witnesses may be taken, when and where you may attend if you see proper.

Respectfully, yours,

W. H. KOONTZ.

JOHN H. UHL, Esq.,
Attorney for A. H. Coffroth.

I hereby accept service of this notice 5th May, 1866.

J. H. UHL,
Attorney of A. H. Coffroth.

No. 28.

Poll-book of the election held on the 11th day of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of York county, in the State of Pennsylvania, in the actual military service under the requisition of the President of the United States, and being unable to attend any company poll, or other proper place of election; this election being held at barrack No. 1, Soldiers' Rest, Washington, D. C., which place the said electors, being present, have selected for opening a poll for the said election, and certify herein; David Bollman, William Brallier, and John H. Akers being then and there duly elected judges of the said election, and Benton A. Cooper and Josiah H. Anderson being duly appointed clerks of said election, and being all severally affirmed according to the certificates herewith returned.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Josiah Porter	York county	Windsor.
2	Amos Bossinger	do	Windsor.
3	Solomon Smith	do	Connawaugh.
4	Josiah Borton	do	Hopewell.
5	Charles Kohler	do	Fawn.
6	William M. Anderson	do	Lower Chanceford.
7	Henry M. Snider	do	Connawaugh.
8	Henry Messel	do	Connawaugh.
9	Reuben Fague	do	Hopewell.
10	William Strayer	do	

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of York county, State of Pennsylvania, voting at the said election, amounts to 10.

Witness our hands the day and year aforesaid.

D. BALLMAN,
WM. BRALIER,
J. H. AKERS,
Judges of the Election.

Attest:
J. H. ANDERSON,
B. A. COOPER,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election, by the qualified voters of ——— county, State of Pennsylvania.

For representative in the House of Representatives in the Congress of the United States, 15th district: for Congress Joseph Bailey had 5 votes; A. Glossbrenner had 5 votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

B. A. COOPER,
J. H. ANDERSON,
Clerks.

STATE OF PENNSYLVANIA, *County of York, ss:*

I, William Ilgenfritz, prothonotary of the court of common pleas, in and for the county and State aforesaid, do certify that the above and foregoing is a true copy of the poll-book and tally-paper, and number and names of electors, &c., at an election held at barracks No. 1, Soldiers' Rest, Washington, D. C., as the same were returned to and filed in the prothonotary's office aforesaid, on the 18th day of October, A. D. 1864.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at York, this third day of April, in the year of our Lord one thousand eight hundred and sixty-six. [SEAL.]

W. ILGENFRITZ, *Prothonotary.*

No. 29.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of several counties, State of Pennsylvania, in the actual military or naval service, under the requisition of the President of the United States, and being unable to attend any company poll, or other proper place of election; this election being at Haddington U. S. A. general hospital, West Philadelphia, which place they, the said electors, being present, have selected for opening a poll for the said election, and certify herein; John A. J. Fugate, Hiram L. Stone, and Frank M. Girton being then and there duly elected judges of the said election, and Albert H. Mann and Jacob B. Lutz being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths and affirmations of the judges and clerks.

We, John A. J. Fugate, Hiram L. Stone, and Frank M. Girton, judges of this election, and Jacob B. Lutz and Albert H. Mann, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of said election, severally acting as set forth in the act of the general assembly of the State of Pennsylvania, entitled "An act regulating elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the said election.

J. A. J. FUGATE,
HIRAM L. STONE,
FRANK M. GIRTON,
Judges.

I hereby certify that Hiram L. Stone and Frank M. Girton, judges, and Jacob B. Lutz and Albert H. Mann, clerks aforesaid, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hands this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

J. A. J. FUGATE,
Judge of said Election.

I certify that John A. J. Fugate, judge of election aforesaid, was also duly so sworn according to law by me. Witness my hand the date above written.

ALBERT H. MANN,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid Haddington U. S. A. general hospital to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

J. A. J. FUGATE,
HIRAM L. STONE,
FRANK M. GIRTON,
Judges of the said Election.

Attest:
ALBERT H. MANN,
J. B. LUTZ,
Clerks.

Number and names of the electors voting at the said election, and their county' city, borough, township, ward or precinct of residence.

No. 8. Samuel H. Smith, Co. B, 18th Penn. cavalry, Somerset county, Lower Turkey Foot township.

No. 54. Andrew J. Freaker, Co. C, 184th Penn. vols, Fulton county, Dublin township.

No. 67. Philip Glessner, Co. G, 148th Penn. vols., Somerset county, Chenner township.

It is hereby certified to by us, that the above list of electors voting at the said election is correct, and that the number of electors of the several counties of the State of Pennsylvania voting at the said election amounts to ninety-four votes.

Witness our hands the day and year aforesaid.

JOHN A. J. FUGATE,
HIRAM L. STONE,
FRANK M. GIRTON,
Judges of the Election.

Attest:
ALBERT H. MANN,
JACOB B. LUTZ,
Clerks of Election.

Tally-paper or list of votes and return for each person voted for at the said election, by the qualified voters of the several counties, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had three votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

_____ _____,
_____ _____,
Clerks.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

JOHN A. J. FUGATE,
Co. H, 148th Reg't Penn. Vol. Soldiers.
HIRAM L. STONE,
Co. H, 22d Reg't V. R. C. Soldiers,
Sergeant FRANK M. GIRTON,
Co. K, 2d Reg't H. Art. P. V. Soldiers,
Judges of the said Election.

Attest:
ALBERT H. MANN,
JACOB B. LUTZ,
Clerks.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, April 25, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of the return of an election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, at Haddington U. S. A. general hospital, West Philadelphia, so far as relates to the vote for Congress in the counties of Somerset and Fulton, as the same remains on file in this office.

In witness whereof, I have hereunto set my hand, and caused the seal of said office to be affixed, this twenty-fifth day of April, A. D. one thousand eight hundred and sixty-six.

[SEAL.]

ELI SLIFER,
Secretary of the Commonwealth.

No. 30.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Westmoreland, Somerset, Fayette, and Indiana counties, State of Pennsylvania, being in actual military service, under the requisition of the President of the United States, in company E, of the 211th regiment of Pennsylvania volunteers, held at camp near Bermuda Hundred, Virginia, on the eleventh day of October, one thousand eight hundred and sixty-four, George A. Brant, Henry B. Blackburn, and Richard B. White being duly elected judges of the said election, and Lewis Thompson and John Mathiot being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, George A. Brant, Henry B. Blackburn, and Richard B. White, judges of this election, and Lewis Thompson and John Mathiot, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

HENRY B. BLACKBURN,
GEORGE A. BRANT,
RICHARD B. WHITE,
Judges.

LEWIS THOMPSON,
JOHN MATHIOT,
Clerks.

I hereby certify that the aforesaid George A. Brant and Richard B. White, judges, and Lewis Thompson and John Mathiot, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

H. B. BLACKBURN,
Judge of said Election.

I certify that Henry B. Blackburn, judge of election aforesaid, was also duly so sworn, according to law, by me.

Witness my hand the date above written.

LEWIS THOMPSON,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid ——— to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

HENRY B. BLACKBURN,
GEORGE A. BRANT,
R. B. WHITE,
Judges of said Election.

Attest:
LEWIS THOMPSON,
JOHN MATHIOT,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Ludwick Gardner	Somerset county	Jefferson township.
2	Peter Bealman	do.	Quemahoming township.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of Westmoreland county, State of Pennsylvania, voting at the said election, amounts to fifty-two (52) votes; also, of Indiana county, Pennsylvania, amounts to seven (7;) of Somerset county, Pennsylvania, amounts to two (2;) of Fayette, amounts to 3.

Witness our hands the day and year aforesaid.

HENRY B. BLACKBURN,
GEORGE A. BRANT,
R. B. WHITE,
Judges of the Election.

Attest:
LEWIS THOMPSON,
JOHN MATHIOT,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of ——— county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz, sixteenth district, had two (2) votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct Witness our hands the day and year aforesaid.

LEWIS THOMPSON,
JOHN MATHIOT,
Clerks.

Return of the election.

At an election held by the electors of Westmoreland, Indiana, Fayette, and Somerset counties, in company E, of the two hundred and eleventh regiment of Pennsylvania soldiers, at camp near Bermuda Hundred, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, sixty-two (62) votes; of which William H. Koontz, 16th congressional district, had (2) two votes.

* * * * * * *

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

HENRY B. BLACKBURN,
Co. E, 211th Reg't Penn. Soldiers,
GEORGE A. BRANT,
Co. E, 211th Reg't Penn. Soldiers,
R. B. WHITE,
Co. E, 211th Reg't Penn. Soldiers,
Judges of the said Election.

Attest:
LEWIS THOMPSON,
JOHN MATHIOT,
Clerks.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, April 25, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of the return of an election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, at camp near Bermuda Hundred, Virginia, so far as relates to the vote for Congress in Somerset county, as the same remains on file in this office.

In witness whereof, I have hereunto set my hand and caused the seal of said office to be affixed, this twenty-fifth day of April, A. D. one thousand eight hundred and sixty-six. [SEAL.]

ELI SLIFER,
Secretary of the Commonwealth.

No. 31.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty four, by the qualified electors of ——— county, State of Pennsylvania, in the actual military or naval service under the requisition of the President of the United States, and being unable to attend any company poll or other proper place of election, this election being at Depot field hospital, City Point, Virginia, which place they, the said electors, being present, have selected for opening a poll for the said election, and certify herein; Simon M. Whistler, Frank M. Grubb, and William A. Shrener being then and there duly elected judges of the said election, and Wm. C. Rice and John W. McKinney being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths and affirmations of the judges and clerks.

We, Simon M. Whistler, Frank M. Grubb, and Wm. A. Shrener, judges of this election, and William Rice and John W. McKinney, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of said election, severally acting as set forth in the act of the general assembly of the State of Pennsylvania, entitled "An act regulating elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the said election.

SIMON M. WHISTLER,
FRANK M. GRUBB,
WM. A. SHRENER,
Judges of the Election.

Attest:
WM. C. RICE,
JOHN W. MCKINNEY,
Clerks of the Election.

I hereby certify that Simon M. Whistler and Frank M. Grubb, judges, and Wm. C. Rice and John McKinney, clerks, of the said election, were, before proceeding to take any votes at said election, first of all severally sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

WILLIAM A. SHRENER,
Judge of said Election.

I hereby certify that the aforesaid Wm. A. Shrener, judge of said election, was also so duly sworn by me.

Witness my hand the date above written.

WM. C. RICE, Jr.,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid quarters of Surgeon Watson, 3d division, 2d corps, Depot field hospital, City Point, Virginia, to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

SIMON M. WHISTLER,
FRANK M. GRUBB,
WM. A. SHRENER,
Judges of said Election.

Attest:
WM. C. RICE, Jr.,
JOHN W. MCKINNEY,
Clerks.

Number and names of the electors voting at the said election, and their county city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
26	Dr. Wm. Watson	Bedford county	Bedford borough.
56	Stephen Mellet	Bedford	E. Providence township.

It is hereby certified to by us that the aforesaid list of electors voting at the said election is correct, and that the number of electors of ——— county, State of Pennsylvania, voting at this election, amounts to —.

Witness our hands the day and year aforesaid.

S. M. WHISTLER,
FRANK M. GRUBB,
W. A. SHRENER,
Judges of the Election.

Attest:
JOHN W. MCKINNEY,
WM. C. RICE, Jr.,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of ——— county, State of Pennsylvania.

For representative in the House of Representatives of the United States, Wm. H. Koontz had three votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct Witness our hands the day and year aforesaid.

JOHN W. MCKINNEY,
WILLIAM C. RICE, Jr.,
Clerks.

Return of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of ——— county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll, or their proper place of election, at Depot field hospital, City Point, Virginia, being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the House of Representatives in the Congress of the United States, seventy- six (76) votes; of which William H. Koontz had three votes.

* * * * * * *

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

Act. Ass't Surgeon SIMON M. WHISTLER U. S. A.,
U. S. Hospital Transport Connecticut,
FRANK M. GRUBB,
2d Lieut., Co. A, 19th Reg't U. S. C. T.,
WILLIAM A. SHRENER,
2d Lieut., Co. F, 116th Reg't Penn. Soldiers.,
Judges of the said Election.

Attest:
JOHN W. MCKINNEY,
WILLIAM C. RICE, Jr.,
Clerks.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, May 10, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of the return of an election held on the second Tuesday of October, in the year one thousand eight

hundred and sixty-four, at field hospital, City Point, Virginia, as the same remains on file in this office, so far as it relates to vote for Congress in Bedford county.

In witness whereof, I have hereunto set my hand and caused the seal of said office to be affixed, this tenth day of May, A. D. one thousand eight hundred and sixty-six.

[SEAL.]

ELI SLIFER,
Secretary of the Commonwealth.

No. 32.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of the counties of Beaver, Lawrence, Mercer, Clarion, Butler, and Philadelphia, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company I, of the 191st regiment of Pennsylvania veteran volunteers, held at camp in the field; James Beighley, J. W. Beaner, and J. C. Mahood, being duly elected judges of the said election, and John McLane and George W. Grace being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, James Beighley, James W. Beaner, and J. C. Mahood, judges of this election, and John McLane and George W. Grace, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

I hereby certify that the aforesaid James Beighley, J. W. Beaner, and J. C. Mahood, judges, and John McLane and George W. Grace, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this 11th day of October, A. D. one thousand eight hundred and sixty-four.

Judge of said Election.

We certify that James Beighley, judge of election aforesaid, was also duly so sworn according to law by us.

Witness our hands the date above written.

JOHN McLANE,
GEO. W. GRACE,
Clerks of said Election.

We hereby certify that the aforesaid electors present, being more than ten did select the aforesaid camp in the field to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

JAMES BEIGHLEY,
JAMES W. BEANER,
J. C MAHOOD,
Judges of said Election.

Attest:
JOHN McLANE,
GEO. W. GRACE,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
14	Alexander Young	Bedford	Hopewell township.
16	Michael Griffs	Bedford county	Broad township.
54	William D. Ritchie	do	Hopewell.
59	Isaac Flugle	do	Napier township.
60	John Flugle	do	Do.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of ——— county, State of Pennsylvania, voting at the said election, amounts to ——.

Witness our hands the day and year aforesaid.

———— ————,
———— ————,
Judges of the Election.

Attest:

———— ————,
———— ————,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of ——— county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William A. Koontz had three votes.

A true return of the election, held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

JOS. C. MAHOOD,
Co. I, 191st Regt. Penn. Vol. Soldiers,
JAMES W. BEANER,
Co. I, 191st Regt. Penn. Vol. Soldiers,
JAMES BEIGHLY,
Co. I, 191st Regt. Penn. Vol. Soldiers,
Judges of the said Election.

Attest:
GEORGE W. GRACE,
JOHN MCLANE,
Clerks.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, May 10, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify, that the foregoing is a correct copy of the return of an election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, in the field, Virginia, as the same remains on file in this office, so far as relates to vote for Congress in Bedford county.

In witness whereof, I have hereunto set my hand, and caused the seal of said office to be affixed, this tenth day of May, A. D. one thousand eight [SEAL.] hundred and sixty-six.

ELI SLIFER,
Secretary of the Commonwealth.

Return of the election.

At an election held by the electors of Clarion county, in company I of the 191st regiment of Pennsylvania soldiers, at camp in the field, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast —,

---

No. 33.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified voters of the sixteenth congressional district, State of Pennsylvania, in the actual military or naval service, under the requisition of the President of the United States, and being unable to attend any company poll, or other proper place of election; this election being at Lincoln general hospital, in the District of Columbia, which place they, the said electors, being present, have selected for opening a poll for the said election, and certify herein; P. B. Curry, John Harris and Andrew M. Grarer being duly elected judges of the said election, and H. R. Robinson and J. C McLaurin being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths and affirmations of the judges and clerks.

We, P. B. Curry. J. Harris, and Andrew M. Grarer, judges of this election, and H. R. Robinson and J. C. McLaurin, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of said election, severally acting as set forth in the act of the general assembly of the State of Pennsylvania, entitled "An act regulating elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the said election.

PETER B. CURRY,
J. HARRIS,
A. M. GRARER,
Judges of Election.

Attest:
H. R. ROBINSON,
J. C. MCLAURIN,
Clerks of Election.

I hereby certify that John Harris and Andrew M. Grarer, judges, and H. R. Robinson and J. C. McLaurin, clerks, of the said election, were, before proceeding to take any votes at said election, first duly sworn as aforesaid.

Witness my hand this 11th day of October, A. D. one thousand eight hundred and sixty-four.

PETER B. CURRY,
Judge of said Election.

I certify that P. B. Curry, judge aforesaid, was also so sworn by me.

Witness my hand the date above written.

H. R. ROBINSON,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid Lincoln general hospital to be the place for opening a poll for the said election.

PETER B. CURRY,
J. HARRIS,
A. M. GRARER,
Judges of said Election.

Attest:
H. R. ROBINSON,
J. C. MCLAURIN,
Clerks.

Number and names of the qualified electors of the sixteenth congressional district, State of Pennsylvania, voting at said election.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Thomas Rissel	Franklin	St. Thomas.
2	Frederick Halfman	do	Washington.
3	George H. Dean	do	Chambersburg.
4	R. N. Skillington	Bedford	Snake Spring.
5	James Corl	do	Union.
6	J. Rowel	Somerset	Jenner.

It is hereby certified to by us that the aforesaid list of electors, voting at the said election, is correct, and that the number of electors of the 16th congressional district, State of Pennsylvania, voting at this election, amounts to six (6) votes.

Witness our hands the day and year aforesaid.

PETER B. CURRY,
J. HARRIS,
A. M. GRARER,
Judges of the Election.

Attest:
H. R. ROBINSON,
J. C. MCLAURIN,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of the 16th congressional district, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had six votes.

A true return of the election, held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

PETER B. CURRY,
J. HARRIS,
A. M. GRARER,
Judges of said Election.

Attest:
H. R. ROBINSON,
J. C. MCLAURIN,
Clerks.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, May 10, 1865.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of the return of an election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, at Lincoln general hospital, as the same remains on file

in this office, so far as relates to vote for Congress in counties of Franklin, Bedford, and Somerset.

In witness whereof, I have hereunto set my hand, and caused the seal of said office to be affixed, this tenth day of May, A. D. one thousand eight hundred and sixty-six.

[SEAL.]

ELI SLIFER,
Secretary of the Commonwealth.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

H. R. ROBINSON,
J. C. MACLAURIN,
Clerks.

Return of election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of the sixteenth congressional district, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll, or their proper place of election, at Lincoln general hospital, being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the House of Representatives in the Congress of the United States, six votes; of which W. H. Koontz had six votes.

No. 34.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Blair county, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company C, of the 205th regiment Pennsylvania volunteers, held near the Old Court House, Virginia; Henry C. Feather, Martin Lingenfelter, and John H. Stephens being duly elected judges of the said election, and George W. Lingenfelter and James W. Hays being duly appointed clerks of the said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, Henry C. Feather, Martin Lingenfelter, and John H. Stephens, judges of this election, and George W. Lingenfelter and James W. Hays, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

I hereby certify that the aforesaid Henry Feather, Martin Lingenfelter, and John H. Stephens, judges, and George W. Lingenfelter and James W. Hays, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

H. C. FEATHER,
Judge of said Election.

I certify that H. C. Feather, judge of election aforesaid, was also duly so sworn according to law by me.

Witness my hand the date above written.

JAMES W. HAYS,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid place to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

H. C. FEATHER,
MARTIN LINGENFELTER,
JOHN H. STEPHENS,
Judges of said Election.

Attest:
GEORGE W. LINGENFELTER,
JAMES W. HAYS,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Samuel B. Thike	Bedford county	Hopewell township.
2	Job Bowser	do	Union township.
3	John Feather	do	Do.
4	Thomas Lamburn	do	Middle Woodbury.
5	Benjamin H. Garretson	do	St. Clair township.
6	Nicholas Strayer	do	Middle Woodbury.
7	Jacob R. Grimes	do	Do.
8	Michael Burns	do	Do.
9	Jacob L. Horton	do	Do.
10	George Smith	do	Hopewell township.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of ——— county, State of Pennsylvania, voting at the said election, amounts to ——.

Witness our hands the day and year aforesaid.

H. C. FEATHER,
JOHN C. STEPHENS,
MARTIN LINGENFELTER,
Judges of the Election.

Attest:
GEORGE W. LINGENFELTER,
JAMES W. HAYS,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Blair and Bedford counties, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had six votes; A. H. Coffroth had four votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

Witness our hands the day and year aforesaid.

GEORGE W. LINGENFELTER,
JAMES W. HAYS,
Clerks.

Return of the election.

At an election held by the electors of Blair and Bedford counties, in company C, of the 205th regiment of Pennsylvania soldiers, at Old Court House, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, sixty votes; of which W. H. Koontz, Bedford county, had six votes; A. H. Coffroth had four votes.

A true return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

H. C. FEATHER,
Co. C, 205th Reg't Pa. Sols.,
MARTIN LINGENFELTER,
Co. C, 205th Reg't Pa. Sols.,
Sergeant JOHN H. STEPHENS,
Co. C, 205th Reg't Pa. Sols.,
Judges of the said Election.

Attest:
GEORGE W. LINGENFELTER,
JAMES W. HAYS,
Clerks.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, May 10, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of the return of an election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, at Old Court House, Virginia, as the same remains on file in this office, so far as relates to vote for Congress in the county of Bedford.

In witness whereof, I have hereunto set my hand, and caused the seal of said [SEAL.] office to be affixed, this tenth day of May, A. D. one thousand eight hundred and sixty-six.

ELI SLIFER,
Secretary of the Commonwealth.

No. 35.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Blair, Bedford, Somerset, and Huntingdon, State of Pennsylvania, being in actual military service, under the requisition of the President of the United States, in company C, of the 110th regiment of Pennsylvania volunteers, held at camp near Petersburg, Virginia, George P. Kelly, David Price, and William Fetwiler being duly elected judges of the said election, and Charles Andrews and Samuel —— being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, George P. Kelly, William Fetwiler, and David Price, judges of this election, and Charles Andrews and Samuel Schwartz, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the

said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

I hereby certify that the aforesaid George P. Kelly, William Fetwiler, and David Price, judges, and Charles Andrews and Samuel B. Schwartz, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

——— ———,
Judge of said Election.

I certify that ——— ———, judge of election aforesaid, was also duly so ——— according to law by me.

CHARLES ANDREWS.

Witness my hand the date above written.

SAMUEL B. SCHWARTZ,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid ——— to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

GEORGE P. KELLY,
DAVID PRICE,
WILLIAM FETWILER,
Judges of said Election.

Attest:
CHARLES ANDREWS,
SAMUEL B. SCHWARTZ,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Jonathan A. Sutton	Bedford county	Middle Woodbury township.
2	John Moore	do	Hopewell township.
3	David S. Hays	Blair county	Hollidaysburg borough.
4	Joseph Garley	do	Allegheny township.
5	Thomas G. Livingston	Bedford county	Hopewell township.
6	Benjamin Shoemaker	do	Middle Woodbury township.
7	John A. Beegle	Blair county	Juniata township.
8	William Fetwiler	Bedford county	South Woodbury township.
9	Samuel Fockler	do	Middle Woodbury township.
10	James F. McCormick	Somerset county	Addison township.
11	David R. B. Shaney	Bedford county	Middle Woodbury township.
12	David Price	do	Do. do.
13	Samuel B. Schwartz	do	South Woodbury township.
14	Charles Andrews	Blair county	Tyrone borough.
15	George P. Kelley	do	Juniata township.
16	Martin Maxwell	do	Tyrone borough.
17	William H. H. Shiner	Bedford county	South Woodbury.
18	Isaiah Copelin	Blair county	Antis township.
19	Jacob Householder	Huntingdon county	Todd township.
20	William H. Plaster	Blair county	Freedom township.

It is hereby certified by us that the above list of electors, voting at the said election, is correct, and that the number of electors of Blair, Bedford, Hunting-

don, and Somerset counties, State of Pennsylvania, voting at the said election, amounts to twenty (20) votes.

Witness our hands the day and year aforesaid.

GEO. P. KELLY,
DAVID PRICE,
Judges of the Election.

Attest:
CHARLES ANDREWS,
SAMUEL B. SCHWARTZ,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Blair, Bedford, Somerset, and Huntingdon counties, State of Pennsylvania.

For representative in the House of Representatives of the United States, sixteenth district, William H. Koontz had six votes; A. H. Coffroth had five votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

Witness our hands the day and year aforesaid.

CHARLES ANDREWS,
SAMUEL B. SCHWARTZ, *Clerks.*

Return of the election.

At an election held by the electors of Blair, Bedford, Huntingdon, and Somerset counties, in company C, of the 110th regiment of Pennsylvania soldiers, at camp in the field, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, —— votes; of which William H. Koontz had six votes; A. H. Coffroth had five votes.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

GEORGE P. KELLY,
Co. C, 110th Reg't Pa. Vols. Sols.,
DAVID PRICE,
Co. C, 110th Reg't Pa. Vols. Sols.,
WILLIAM FETWILER,
Co. C, 110th Reg't Pa. Vols. Sols.,
Judges of the said Election.

Attest:
CHARLES ANDREWS, Sergeant Co. C,
SAMUEL B. SCHWARTZ, Corporal Co. C,
Clerks.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, May 10, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of the return of an election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, at camp near Petersburg, Virginia, as the same remains on file in this office, so far as relates to vote for Congress in the counties of Blair, Bedford, Somerset, and Huntingdon.

It witness whereof, I have hereunto set my hand, and caused the seal of said office to be affixed, this tenth day of May, A. D. one thousand eight hundred and sixty-six.

[SEAL.]

ELI SLIFER,
Secretary of the Commonwealth.

No. 36.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of eight different counties in the State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company C, of the 200th regiment of Pennsylvania volunteers, held at Old Prince George Court House, Virginia; Daniel L. Stoud, George W. Davis, and George S. Morrett being duly elected judges of the said election, and Jas. M. Krafft and Jacob R. Elcock being duly appointed clerks of said election. being all severally affirmed according to the certificates herewith returned.

Oaths of the judges and clerks.

We, Daniel L. Stoud, George W. Davis, and George S. Morrett, judges of this election, and Joseph W. Krafft and Jacob R. Elcock, clerks thereof, do each severally affirm that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

DANIEL L. STOUD,
GEORGE W. DAVIS,
GEORGE S. MORRETT,
Judges.

J. W. KRAFFT,
JACOB R. ELCOCK,
Clerks.

I hereby certify that the aforesaid Daniel L. Stoud, George W. Davis, and George S. Morrett, judges, and ——— ——— and Jacob R. Elcock, clerks, were, before proceeding to take any votes at said election, first duly affirmed as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

DANIEL L. STOUD,
Judge of said Election.

I certify that Daniel L. Stoud, judge of election aforesaid, was also duly so affirmed according to law by me.

Witness my hand the date above written.

J. W. KRAFFT,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten' did select the aforesaid Old Prince George Court House, Virginia, to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

DANIEL L. STOUD,
GEORGE W. DAVIS,
GEORGE S. MORRETT,
Judges of said Election.

Attest:
J. W. KRAFFT,
JACOB R. ELCOCK,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
44	Armstrong Miller	Bedford county	St. Clair township.
47	Cyrus Fickes	do	Do.
53	Daniel Hite	do	Union township.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of the several counties, State of Pennsylvania, voting at the said election, amounts to the following result.

Witness our hands the day and year aforesaid.

DANIEL L. STOUD,
GEORGE W. DAVIS,
GEORGE S. MORRETT,
Judges of the Election.

Attest:
J. W. KRAFFT,
JACOB R. ELCOCK,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of ——— county, State of Pennsylvania.

For representative in the House of Representatives of the United States—Bedford—Wm. H. Koontz had (3) three votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

J. W. KRAFFT,
JACOB R. ELCOCK,
Clerks.

Return of the election.

At an election held by the electors of York, Cumberland, Perry, Dauphin, Northumberland, Montour, Bedford, and Huntingdon counties, in company C, of the two hundredth regiment of Pennsylvania soldiers, at Old Prince George's Court House, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, — votes; of which (Bedford) Wm. H. Koontz had three votes.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

DANIEL L. STOUD,
Company C, 200th Reg't Pa. Vol. Sol.,
GEORGE W. DAVIS,
Company C, 200th Reg't Pa. Vol. Sol.,
GEO. S. MORRETT,
Company C, 200th Reg't Pa. Vol. Sol.,
Judges of the said Election.

Attest:
J. W. KRAFFT,
JACOB R. ELCOCK,
Clerks.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
Harrisburg, May 10, 1866.

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of the return of an election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, at Old Prince George's Court House, Virginia, as the same remains on file in this office, so far as relates to vote for Congress in Bedford county.

In witness whereof, I have hereunto set my hand and caused the seal of said office to be affixed, this tenth day of May, A. D. one thousand eight hundred and sixty-six. [SEAL.]

ELI SLIFER,
Secretary of the Commonwealth.

EVIDENCE OF SITTING MEMBER.

No. 1.

Depositions of witnesses taken by me, the undersigned commissioner, at my office, in the borough of Somerset, Somerset county, Pennsylvania, on the 27th of April last, and on other days within mentioned, duly appointed to take testimony in said county, by virtue of an article of agreement between A. H. Coffroth, esq., sitting member, and William H. Koontz, esq., contestant, hereto attached, in the matter of the contest in the sixteenth (16th) congressional district of Pennsylvania, for a seat in the thirty-ninth Congress of the United States.

Jesse Slick sworn.

Examined by J. O. Kimmel, esq., counsel for A. H. Coffroth, esq.:

I am acquainted with Charles B. Ellsworth; he is my son-in-law. He resided in Johnstown, Cambria county, Pennsylvania, when he enlisted in the army. His wife came to Shade township, Somerset county, and lived there. Until shortly before he came home she moved into Quemahoning township, Somerset county, Pennsylvania. He was in the army while his wife and children lived in Shade township. She moved from Shade township in February, 1865. He was not in Shade township from September, 1864, up to February, 1865. After he returned home from the army he lived with his wife in Quemahoning township, Somerset county, a short time, I don't think more than eight or nine days, and then he moved to Johnstown, Cambria county, Pennsylvania.

Cross-examined by William H. Koontz, esq., the contestant:

His wife and family lived in Shade township from September, 1864, to February, 1865. They came to Shade township about the 1st of September.

APRIL 30, 1866.

The testimony of the following witnesses was taken in behalf of A. H. Coffroth, esq.:

John Johnson affirmed.

Examined by A. J. Colborn, esq., one of the counsel of A. H. Coffroth, esq.:

I live in Jenner township, Somerset county, Pennsylvania. I am a qualified voter. I know George C. Cristner, of Jenner township; he is a negro; his his vote has been rejected, and I was told it was on account of his color. I

know Lewis Andrews; he came to the polls in Jenner township in October, 1864, to vote. I objected to his vote; but I think it was at the second election. I am very confident that he told me that he did vote, but can't say positively. The said Lewis Andrews is a married man, and has a family, and in 1864, at the time of the election, his family resided in Donegal, Westmoreland county, and had resided there some time before. He never resided in Jenner township. I can't say for whom he voted for Congress in 1864. He was a Koontz man, to the best of my knowledge, before the election. He belonged to the republican party. He was pretty ultra, pretty stiff. I know William Karns, or Kerns; he is a single man. I never knew him to live any place only in Westmoreland county. I saw him at the election in 1864, but can't say positively whether he voted; think he told me he voted. I know John H. Loyd well; he lived with me one year. He was in the army in 1864. I paid his taxes and sent him a receipt. I sent him Coffroth's ticket; he had written to me to do so; I think he told me that he had voted the ticket I had sent him, but can't say positively. He is an ultra democrat. He told me he had several fall-outs with some of the boys in the army and with an officer about politics; they insisted on him voting the republican ticket.

Mr. Koontz objects to the testimony of John Johnson for the following reasons:

1. It is improper for the witness to testify to conversations with other parties, or to give hearsay testimony.

2. The testimony pertains to matters which are not specifically set forth in the answer of the sitting member.

Cross-examined by William H. Koontz, esq.:

I don't call George C. Cristner a negro, but a mulatto. I don't know his father. I have seen his mother. His mother is the widow Cristner; she is pretty dark-complected; she has negro blood in her veins; she is a dark mulatto. I don't know of my own knowledge that his vote was rejected on account of color. I don't know of my own knowledge that Lewis Andrews lived in Westmoreland county, but he told me so. I don't know of my own knowledge that he had a family in 1864, but he told me so. I think he came to Jenner township some time in the summer. He remained there until the election. I think I saw him vote, but can't say positively. I had Mr. Loyd assessed and paid his tax. I can't say positively that he said he voted the ticket I sent him.

In chief:

I saw in Jennertown, in Jenner township, a woman and a boy whom Andrews said was his wife and son. Mrs. Cristner is a sister of George and Samuel Deitz, who are black—Samuel not so black, but George quite black.

Cross-examined by Wm. H. Koontz, esq.:

William Kerns might have lived elsewhere than Westmoreland county and I not have known it. I can't say positively that Mrs. Cristner is a sister of George and Samuel Deitz, but by hearsay.

In chief:

William Kerns went over the hill a few days before the election in 1864, to stay with Frank. On the day of the election he came back to Jenner township to the election, and I think he returned the same day.

Cross-examined by W. H. Koontz, esq.:

It is so long that I can't say positively about his going home and coming back. As far as I know, he is still living.

John Walter sworn.

Examined by A. J. Colborn, esq.:

I reside in Jenner township, Somerset county, Pennsylvania; I was born in 1807. I know George Cristner; his name in the duplicate is George Cristner; he is mixed; his mother is a mulatto; his reputed father was a white man; he has been denied the right to vote in Jenner township on account of color; I was judge of the election at the time his vote was rejected.

(Wm. H. Koontz objects to this testimony of John Walter, on the ground that it pertains to matters that are not set forth in the answer of the sitting member.)

MAY —, 1866.

The testimony of the following witnesses was taken in behalf of A. H. Coffroth, esq.:

John C. Helff sworn.

Examined by A. J. Colborn, esq., counsel of A. H. Coffroth, esq.:

I reside in Berlin, Somerset county; I resided there in 1864; I was a qualified voter in 1864. I was at City Point, in Virginia, on the day of the election in October, 1864; I was in the United States army. There were more than ten voters at City Point from this county—some sixty or seventy Pennsylvania soldiers. I wished to vote at that election, and wished to vote for Mr. Alexander Coffroth. I can't say that there was an election held there; nor had I an opportunity to vote. There was no commissioned officer there to indorse my vote, that I could send it home. Chauncey Long, David Rubright, William Rubright, Israel Weimer, Daniel Ream, and George Markle were there with me. Between the first and third of October we went to City Point, and we remained there twenty-five or twenty-six days. We left this county (Somerset) about the 23d of September, 1864. I paid my taxes and took a ticket along with me when I went into the army. We were confined in a certain space, and could not go in or out without being accompanied with a guard. We were recruits there, and had to wait until they sent us to our regiment. As much as I know, it was a camp of rendezvous for recruits. I did not know that there was an opportunity of sending letters from that place (City Point.)

David Rubright sworn.

Examined by A. J. Colborn, esq.:

I reside in Berlin, Somerset county, Pennsylvania, and did reside there in 1864. I was a qualified voter in October, 1864, of Berlin borough. I was at City Point in October, 1864; I was along with John C. Helff in the army. I wished to vote, and wished to vote for Mr. Alec Coffroth for Congress at the October election in 1864. There was no election held at City Point that I know; I had no opportunity to vote there. There were between sixty and seventy Pennsylvania soldiers there that we counted. There were ten or more soldiers from this county there. I had no opportunity of sending my vote home that I know of. We were kept on a small space of ground and surrounded by guards; could not go for water except accompanied by a guard; could not go in or out without being accompanied by a guard.

Cross-examined by Wm. H. Koontz, esq.:

I was twenty-four years old last March, 1866. I paid a State and county tax before I went into the army; I paid the tax to Frederick Swope. There might have been mail facilities for sending letters, but I did not know of any. We

inquired about the mail, but could not find out. I did not offer to vote to any election officer, as I did not see any. I did not send any vote home.

In chief:

I took a ticket with me when I went into the army.

Israel Heiner sworn.

Examined by A. J. Colborn, esq.:

I reside in Brother's Valley township, Somerset county, and did reside there in 1864. I was a qualified voter of said township in October, 1864. I was at City Point, in the army, on the day of the election in October, 1864; I was there with John C. Helff and others named in his testimony. I did wish to vote, and if I could have gotten a vote I would have voted for Mr. Alexander Coffroth for Congress. I took a number of tickets along with me when I went. I had no opportunity of voting. We got to City Point about the first or third of October, 1864, and remained there about three weeks. There was no opportunity of having a ticket or envelope indorsed by a commissioned officer to be sent; they inquired and could find no one. We were on a small space of ground, guarded all around, and could not go out or in unless accompanied by a guard. We were sent there as recruits and guarded as such.

Cross-examined by Wm. H. Koontz, esq.:

I had paid State and county tax before I went into the army. There was no election held there for Pennsylvania soldiers. All the Pennsylvania soldiers were on the same ground.

In chief:

There was an election held there for New York soldiers.

Cross-examined by Mr. H. Koontz, esq.:

I can't say on what day the New York soldiers voted.

Chauncey Long sworn.

Examined by A. J. Colborn, esq.:

I reside in Brother's Valley township, Somerset county, and resided there in October, 1864. I was a qualified voter of Brother's Valley township in 1864. I was at City Point, in the army, on the day of election in October, 1864; I was in company with John C. Helff and those named by him in his testimony. I wished to vote, but could not vote. If I could have voted I would have voted for Mr. Coffroth for Congress. I had no opportunity to vote; we were kept all the time under guard; could not go in or out without being accompanied with a guard. I took a ticket along from this place (Somerset) when I went into the army. There were more than ten Pennsylvania soldiers at City Point; more than ten from this county. There was more than sixty or seventy soldiers from Pennsylvania there. We never had any chance of sending letters home; I tried pretty often. There was no opportunity of having my ticket indorsed by a commissioned officer.

Cross-examined by Wm. H. Koontz, esq.:

I paid my State and county tax before I left home. There was no election held there for Pennsylvania soldiers. All these Pennsylvania soldiers were kept in the same camp. We were guarded around the camp.

William Rubright sworn.

Examined by A. J. Colborn, esq.:

I reside in Brother's Valley township, and did in 1864. I was a qualified voter of said township in 1864. On the day of the October election in 1864 I

was at City Point, in company with John C. Helff and those named by him in his testimony. I wished to vote, and wished to vote for Mr. Coffroth for Congress. I was in the army of the United States. I had no chance to vote at City Point. I had no chance of having a commissioned officer to indorse my vote, so that I could send it home.

Cross-examined by Wm. H. Koontz, esq.:

There was no election held there in our camp. A guard was around the encampment. Only when we wanted to go out the guard would interfere.

Daniel Ream sworn.

Examined by A. J. Colborn, esq.:

I reside in Brother's Valley township, and did in 1864; I was a qualified voter in 1864. I was at City Point on the day of the October election in 1864, in the army of the United States. I was with John C. Helff, and those named by him in his testimony. I would have liked to vote at the time, and would have voted for Mr. Coffroth. I had his ticket. I had no opportunity of having my ticket or envelope indorsed so that I could send it home.

Cross-examined by Wm. H. Koontz, esq.:

I paid my taxes. There was no election held in our camp for Pennsylvania soldiers. There was a guard around the camp. The guard only interfered when we went out of the encampment.

George Markle sworn:

I live in Berlin, Somerset county, and did in 1864. I had a right to vote in 1864. On the day of the October election, in 1864, I was at City Point, in the army. I was with John C. Helff, and those named by him in his testimony. I would have liked to vote, and for Mr. Coffroth for Congress. I had a ticket; took it with me in the army. There were no chance to vote—there was no officers. There were no officers came around to indorse our tickets; we were waiting all the time.

Cross-examined by Wm. H. Koontz, esq.:

There was no election held there that day for Pennsylvania soldiers in our camp. I paid my taxes. The guard was around the encampment, and only interfered when we went to go out.

MAY 4, 1866.

The following witness called on behalf of A. H. Coffroth, esq.:

Elias Cunningham affirmed.

Examined by John H. Uhl, esq., one of the counsel of A. H. Coffroth, esq.:

I reside in the borough of Somerset, Somerset county, Pennsylvania. To the best of my recollection there were two ballots sent to me from company A, 10th regiment Pennsylvania reserve corps. I think that Peter Purl was one of the men that sent his ballot to me. I can't say who the other man was. I think, though, the other man was Jacob Metzler who sent his ballot to me. I presented them to the Somerset township board of election officers. They both being residents of Somerset township. I think both the ballots were for Coffroth for Congress; that is my impression.

Cross-examined by W. H. Koontz, esq.:

At the time of the October election in 1864 I was a resident of Somerset borough. The reason that the ballots were rejected was because the two voters were residents of Somerset township, and the ballots sent to me, a resident of the borough of Somerset.

John S. Ellis affirmed.

Examined by John H. Uhl, esq.:

I reside in the borough of Somerset, Pennsylvania. I was twenty-one years of age in June, 1863. The first vote on age that I voted was in October, 1863, for governor of Pennsylvania. The second time I voted was in October, 1864, at Cedar Creek, Virginia, in the army; at that time I voted for W. H. Koontz, esq., for Congress. I can't say that I paid taxes before October, 1864.

Cross-examined by W. H. Koontz, esq.:

I know that I was informed that my taxes were paid before the November election in 1864, but can't say whether I was informed of my taxes being paid before the election in October, 1864. At the first election that I remember there were no questions asked as to whether I had paid taxes; but at the November election in 1864 there was; but this is so long that I have no distinct recollection as to what took place.

Wm. H. Koontz, esq., objects to the above testimony on the ground—
1st. That notice for the examination of the last two witnesses was not given according to law.
2d. The matter to which the witnesses testify is not specifically set forth in the answer of the sitting member.

MAY 5, 1866.

The following witnesses were called on behalf of A. H. Coffroth, esq.:

John H. Lloyd sworn.

Examined by John H. Uhl, esq.:

I reside in Jenner township, Somerset county, Pennsylvania. I was in the army in the year 1864, in company F, 198th regiment Pennsylvania volunteers. I voted at company headquarters in front of Petersburg, Virginia. I voted for Alex. Coffroth for Congress in the fall of October, 1864. I was between twenty-one and twenty-two years old when I voted.

Cross-examined by Wm. H. Koontz, esq.:

I got my ticket from home, from Captain Johnson. I can read. Captain Stackhouse, Sergeant Amherst, and Corporal Thomas held the election. I was born in December, 1842. No objection made to my vote at the time. There were five others voted there, and I was the only one voted that way. I was sworn before I voted that I was between twenty-one and twenty-two years of age.

Wm. H. Koontz, esq., objects to the testimony of Mr. Lloyd for the following reasons:
1st. Notice was not given of the time and place of taking testimony according to law.
2d. The matter to which witness testifies is not specifically set forth in the answer of the sitting member.

MAY 9, 1866.

The testimony of the following witnesses was taken on behalf of A. H. Coffroth, esq:

Paul Hoffman affirmed.

Examined by Geo. F. Baer, esq.:

I was born in Germany. I came to this country in May 20, 1858. I have never been naturalized. I voted in October, 1864, in Greenville township,

Somerset county, the eleventh October. I voted the Union republican ticket. John C. Kennell gave me the ticket. I voted that ticket. I can't tell for whom I voted, because I can't read English. I thought it was a Union ticket. John C. Kennell votes on the Union side. I believe that I voted for Koontz, but I cannot swear it. I am not yet naturalized.

Cross-examined by William H. Koontz, esq.:

I don't know that it was the Union ticket; all I know was what John C. Kennell said. The reason that I voted was because they said I had a right to vote—because I had been three years in the United States service in the army.

Called in chief by William H. Koontz, esq., contestant:

I know Christian Paul. He is not naturalized. He lives in Greenville township, Somerset county. I believe he voted at the October election in 1864, but can't say sure. He voted the democratic ticket. He did not tell me for whom he voted.

Cross-examined by George F. Baer, esq.:

I did not see him vote. I can't say whether he voted in 1864 or not.

Michael Hay affirmed.

Examined by George F. Baer, esq.:

I reside in Salisbury borough, Somerset county, Pennsylvania. There is no man by the name of John Miers that lived in Salisbury borough within the last thirteen years. I know all the inhabitants of said borough for the last thirteen years. I would not say that I know all the inhabitants of Elk Lick township; I am generally acquainted with them. Joseph Hahn, I think, did not live in Elk Lick township within the last five years. I never heard of Joseph Hahn living in said township. If there had been a man in the said township by the name of Joseph Hahn, a voter, I think I would have heard of it.

Cross-examined by William H. Koontz, esq.:

I don't know that there is a man by the name of John Miers in Elk Lick township. The place of voting for Elk Lick township was in Salisbury borough in 1864, and is now. Salisbury borough was a part of Elk Lick township until within a few years. It has been a borough for three or four years. There was a man by the name of John Hahn that lived in Elk Lick township. He was in the army, in company C, fifty-fourth regiment Pennsylvania volunteers. There was a Samuel Hahn and a William Hahn in the army.

Francis A. Warner affirmed.

Examined by George F. Baer, esq.:

I reside in Allegheny township, Somerset county, Pennsylvania. I am acquainted with the voters of Allegheny township. There was no man by the name of William H. Owen lived in Allegheny township within the last five years that I know of. I don't think he ever resided there. I think I would have known it.

Cross-examined by William H. Koontz, esq.:

There is no man by the name of Owens lives in the township. It was very likely that if a man of that name had lived there I should have known it. I know pretty much all the voters.

Jacob Neff sworn.

Examined by George F. Baer, esq.:

I reside in Somerset borough, Somerset county, Pennsylvania. My principal business is clerk to the commissioners of this county. I examined the general

and special assessments on file in the commissioner's office of Somerset county, Pennsylvania, for the years 1862, 1863, and 1864. Paper produced, marked A, and hereto attached, is the list I made out. The names of persons on this list were not assessed for the years 1862, 1863, and 1864, that I could ascertain. I examined the assessments with the view of ascertaining. I examined the general and the additional assessments of 1862, 1863, and 1864. I know where the election of Somerset township is held. It is held in the borough of Somerset. It is said that John R. Edie, sen., and John R. Edie, jr., are in the regular army, and I have understood so.

Cross-examined by William H. Koontz, esq.:

There are twenty-seven election districts in Somerset county. There are no additional assessments on file in said office for the year 1864 for thirteen districts, viz: Allegheny township, Elk Lick township, Greenville township, Jenner township, Jefferson township, Lanimer township, Middle Creek township, Northampton township, Upper Turkeyfoot township, and Wellersburg borough. The assessments for 1864 were returned in the spring by the assessors to the commissioner's office. In the fall of the year the assessments are not in the hands of the assessors; they are furnished a list of voters by the commissioners. The names of persons who voted on age at the election in 1864 would not appear on the assessments. The additional assessment would not show those who voted on age. If a certificate of an assessment of an assessor of any district was given to a person making application for the assessment for himself or another, and upon the payment of the taxes to the collector of the district, and a receipt of the payment furnished by him, it would not appear upon the record in the commissioner's office. In making the list marked A I based it upon the general assessments where there were no additional assessments on file. I can't say, from my own knowledge, that John R. Edie, sen., and John R. Edie, jr., are in the regular army, but I understood so.

William H. Koontz, esq., objects to the testimony taken on this day on behalf of the sitting member for the following reasons:

1st. Only four days' notice of the time and place of meeting was given.

2d. The matter and things testified to are not specifically set forth by the sitting member in his answer.

HERMAN L. BAER,
Commissioner.

The following copies of record were produced before me by the counsel of A. H. Coffroth, esq., and are hereto attached, viz:

A certified copy of the poll-book of an election held on the second Tuesday of October, 1864, in company K, 5th regiment Pennsylvania volunteer artillery, at Piedmont, Fauquier county, Virginia, as on file in prothonotary's office of Somerset county, Pennsylvania.

A certified copy of the poll-book of an election held on the second Tuesday of October, 1864, at Haddington United States army hospital, Philadelphia, as on file in prothonotary's office, Somerset county, Pennsylvania.

A certified copy of the poll-book of an election held on the second Tuesday of October, 1864, at White Hall United States army general hospital, as on file in prothonotary's office, Somerset county, Pennsylvania.

A certified copy of the poll-book of an election held on the second Tuesday of October, 1864, at Claryville Maryland hospital, as on file in prothonotary's office, Somerset county, Pennsylvania.

A certified copy of the poll-book of an election held on the second Tuesday of October, 1864, at Cuyler United States army general hospital, as on file in prothonotary's office of Somerset county, Pennsylvania.

A certified copy of the poll-book of an election held on the second Tuesday of October, 1864, at Armory Square hospital, at District of Columbia, as on file in prothonotary's office, Somerset county, Pennsylvania.

A certified copy of the poll-book of an election held the second Tuesday of October, 1864, at McClellan United States army general hospital, as on file in the prothonotary's office of Somerset county, Pennsylvania.

A certified copy of the election returns of an election held the second Tuesday of October, 1864, in company E, 211th regiment Pennsylvania volunteers, at camp near Bermuda Hundred, Virginia, as on file in the prothonotary's office, Somerset county, Pennsylvania.

A certified copy of the poll-book of an election held the second Tuesday of October, 1864, at Mower United States army general hospital, as on file in the prothonotary's office, Somerset county, Pennsylvania.

A certified copy of the poll-book of an election held the second Tuesday of October, 1864, at camp 15th United States infantry, Lookout mountain, Georgia, as on file in the prothonotary's office, Somerset county, Pennsylvania.

A certified copy of the poll-book of an election held the second Tuesday of October, 1864, at 3d Division general hospital, Alexandria, Virginia, as on file in the prothonotary's office, Somerset county, Pennsylvania.

A certified copy of the poll-book of an election held the second Tuesday of October, 1864, at camp in the field near Petersburg, Virginia, in company F, 198th regiment Pennsylvania volunteers, as on file in the prothonotary's office in Somerset county, Pennsylvania.

A certified copy of the returns of the election held the 11th October, 1864, at Mower United States army general hospital, Philadelphia, Pennsylvania, and at Summit House United States army hospital, West Philadelphia, Pennsylvania, as far as relates to Somerset county, Pennsylvania, as on file in prothonotary's office, Somerset county, Pennsylvania.

A certified copy of the returns of the election held the 11th October, 1864, at rendezvous of distribution, Virginia; at United States army general hospital, Philadelphia; at Baptist Church hospital, Alexandria, Virginia; at Lincoln general hospital; at Armory Square hospital; at Jarvis United States army general hospital, Baltimore, Maryland; at Cuyler general hospital, Philadelphia, Pennsylvania; at McClellan United States army general hospital, as on file in prothonotary's office, Somerset county, Pennsylvania.

A certified copy of the list of voters and return of votes of an election held for Quemahoning township, October 11, 1864, so far as the same relates to the office of member of the House of Representatives of the United States, as on file in the prothonotary's office, Somerset county, Pennsylvania.

A certified copy of the list of voters and returns of the election held for Somerset township, Somerset county, at the court-house in Somerset borough, the 11th day of October, 1864, as far as the office of Congress is concerned, as on file in the prothonotary's office, Somerset county, Pennsylvania.

A certificate of the prothonotary of Somerset county, Pennsylvania, in regard to the vote of Paul Huffman, cast in Greenville township, Somerset county, Pennsylvania, the 11th day of October, 1864.

A certified copy of the tally-paper of the clerks to the return judges for October election in 1864, as far as relates to Congress, as on file in the prothonotary's office, Somerset county, Pennsylvania.

Copies of the notices served on W. H. Koontz as to the witnesses and the time and place of taking their testimony, are also hereto attached.

HERMAN L. BAER,
Commissioner.

STATE OF PENNSYLVANIA, *Somerset county, ss:*

I, Herman L. Baer, the aforesaid commissioner of said county, do certify that Jesse Slick, John Johnson, John Walter, John C. Helff, David Rubright, Israel Hiner, Chauncey Long, William Rubright, Daniel Ream, George Markle, Elias Cunningham, John S. Ellis, John H. Lloyd, Paul Hoffman, Michael Hay, Francis A. Warner, and Jacob Neff, the foregoing named witnesses, were produced before me by L. O. Kimmel, esq., and other counsel of A. H. Coffroth, esq., at my office in the borough of Somerset, Somerset county, Pennsylvania, as the testimony shows, and after being sworn or affirmed, their foregoing depositions were taken down by me in the presence of one of the counsel of A. H. Coffroth, and in the presence of W. H. Koontz, esq., as the testimony will show.

Witness my hand and seal this 9th day of May, 1866.

[SEAL.] HERMAN L. BAER,
Commissioner.

A.

The several persons were not assessed for the years 1862, 1863, and 1864, in the following named townships in the county of Somerset:

Alleghany township: Henry Ringler, William C. Kelly, Henry Ware, William H. Owens.

Somerset borough: John S. Ellis.

Summit township: John F. Staub, Josiah Heckert.

Jefferson township: Henry Snidehurst, Alexander Scott.

Paint township: Daniel Hummell, Samuel Hummell, Edward Holsapple.

Milford township: George Whipkey, Lewis R. Caton.

Conemaugh township: George Hidenfelter.

Southampton township: Adam Troutman, John A. Hensel.

Elk Lick township: William A. Lichty, Joseph Hahn, Archibald Linrigood

Middle Creek township: Hiram I. Sanners.

Shade township: Charles B. Elsworth, Lewis B. Ringler, Herman Lohr.

Northampton township: William Lyberger, George W. Lyberger, John Bailey.

Lower Turkeyfoot township: Samuel Nicholson, William H. Sanners.

Stony Creek township: William F. Whetstone.

Somerset township: Noah Gunder, William M. Hershberger, Cyrus Yowler.

Brother's Valley township: A. I. Parker, Benjamin P. Hay, A. I. Dickey, John E. Hay.

Sallisberry borough: John Miers.

Greenville township: Christian Driets, John Albright, J. H. Youtzy, James Hutzell.

Jenner township: George C. Cristner, (colored,) Daniel J. Miller, Edward Ling, William Lowry, Charles R. Walker, Phillip Glessner, John Winters, Michael Gohn, George Pile, Alexander Fleck, Charles Shriner.

WILLIAM H. KOONTZ
vs.
ALEXANDER H. COFFROTH.

In the matter of the contested election case from the sixteenth congressional district of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, Franklin, and Adams, pending before the thirty-ninth Congress of the United States.

SIR: Please to take notice that the depositions of John Johnson and others, witnesses, to be read in evidence on the part of Alexander H. Coffroth, in the hearing of the above case, before the Committee of Elections of the thirty-

ninth Congress, will be taken before Herman L. Baer, esq., commissioner for Somerset county, at his office, in the borough of Somerset, on Monday, the 30th day of April, A. D. 1866, between the hours of 10 o'clock a. m. and 10 o'clock p. m. of said day, and to continue from day to day until the testimony of said witnesses may be taken, when and where you may attend if you see proper.

Respectfully,

J. O. KIMMEL,
Attorney of Coffroth.

W. H. KOONTZ, Esq.

Service accepted April 21, 1866.

W. H. KOONTZ.

APRIL 30, 1866.

You are hereby notified that I will examine John H. Loyd and Edward Kyle, and other witnesses, relative and touching the matter and things set forth in my answer to your notice contesting my right to the seat in the United States Congress from the sixteenth district of Pennsylvania, before H. L. Baer, esq., commissioner, appointed by agreement, in the town of Somerset, Somerset county, Pennsylvania, on the 5th day of May, A. D. 1866, between the hours of 10 a. m. and 10 p. m. of said day, and from day to day, between the like hours, till all of said witnesses are examined, when and where you can attend and cross-examine if you see fit. Attached hereto is a list of all the witnesses I propose to examine. They all reside in Somerset county, Pennsylvania.

A. H. COFFROTH,
Per JOHN H. UHL.

Witnesses: John H. Loyd, Edward Kyle, Jacob Craver, James Sachs, Jas. Ankony.

W. H. KOONTZ, Esq.

MAY 5, 1866.

SIR: You are hereby notified that I will examine Isaac Miller and others, witnesses, relative and touching the matter and things set forth in my answer to your notice contesting my right to the seat in the United States Congress from the sixteenth district of Pennsylvania, before H. L. Baer, esq., commissioner, appointed by agreement, in the town of Somerset, Somerset county, Pennsylvania, on the 10th day of May, 1866, between the hours of 10 a. m. and 10 p. m. of said day, and from day to day, between the like hours, till all of said witnesses are examined, when and where you can attend and cross-examine if you see fit. Attached hereto is a list of witnesses I propose to examine. They all reside in Somerset county, Pennsylvania.

A. H. COFFROTH,
Per JOHN H. UHL.

Witnesses: Isaac Miller, Hiram Findly, Isaac Cuyheman, F. A. Warner, Mrs. Heckart, and others.

W. H. KOONTZ, Esq.

You are hereby notified that I will examine Jacob Neff and other witnesses relative and touching the matter and things set forth in my answer to your notice contesting my right to the seat in the United States Congress from the sixteenth district of Pennsylvania, before H. L. Baer, esq., commissioner, appointed by agreement, in the town of Somerset, Somerset county, Pennsylvania, on the 4th day of May, A. D. 1866, between the hours of 10 a. m. and 10 p. m. of said day, and from day to day, between the like hours, till all of said witnesses are

examined, when and where you can attend and cross-examine if you see fit. Attached hereto is a list of all the witnesses I propose to examine. They all reside in Somerset county.

A. H. COFFROTH,
Per J. O. KIMMEL,
His Attorney.

Witnesses: Jacob Neff, Elias Cunningham, Peter Brubaker, William Caldwell, John S. Ellis.

W. H. KOONTZ, Esq.

No. 2.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Somerset county, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company K, of the fifth regiment of Pennsylvania volunteer artillery, held at Piedmont, Fauquier county, Virginia; Cyrus L. Snyder, H. F. Knepper, and J. H. Yutzey being duly elected judges of said election, and J. A. Miller and Silas A. Will being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, Cyrus L. Snyder, H. F. Knepper, and J. H. Yutzey, judges of this election, and J. A. Miller and Silas A. Will, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of general assembly of Pennsylvania, entitled "An act to regulate election by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

CYRUS L. SNYDER,
H. F. KNEPPER,
J. H. YUTZEY,
Judges.
JEREMIAH A. MILLER,
SILAS A. WILL,
Clerks.

I hereby certify that the aforesaid H. F. Knepper and J. H. Yutzey, judges, and J. A. Miller and Silas A. Will, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

CYRUS L. SNYDER,
Judge of said Election.

I certify that Cyrus L. Snyder, judge of election aforesaid, was also duly so sworn according to law by me.

Witness my hand the date above written.

_____ _____,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid Piedmont, Fauquier county, Virginia, to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

CYRUS L. SNYDER,
H. F. KNEPPER,
J. H. YUTZEY,
Judges of said Election.

Attest:
JEREMIAH A. MILLER,
SILAS A. WILL,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Henry F. Knepper	Somerset county	Somerset township.
2	Jesse Crichfield	do	Centreville borough.
3	Peter Brubaker	do	Do.
4	Frederick Koontz	do	Do.
5	Samuel Beast	do	Do.
6	William Caldwell	do	Do.
7	Charles Hemmeyer	do	Stony Creek township.
8	Jacob N. Humbert	do	Milford township.
9	Adam Maust	do	Stony Creek township.
10	Elijah Chorpenning	do	Brother's Valley township.
11	Hiram D. McCoy	do	Jefferson township.
12	Cyrus A. Fowler	do	Somerset township.
13	Archibald Livengood	do	Elk Lick township.
14	Jeremiah H. Yutzy	do	Greenville township.
15	Levi B. Manges	do	Shade township.
16	Austin Lohr	do	Do.
17	Charles H. Lewis	do	Do.
18	Rearson Lohr	do	Do.
19	John Claycomb	do	Somerset township.
20	William Y. Whitstone	do	Stony Creek township.
21	John Coleman	do	Somerset township.
22	James Bogley	do	Northampton township.
23	Jonas Hutzel	do	Greenville township.
24	Harrison Lohr	do	Shade township.
25	Charles Lohr	do	Do.
26	Jeremiah A. Nutter	do	Saulisbury borough.
27	William Shuck	do	Summit township.
28	George W. Shaffer	do	Somerset borough.
29	William Shull	do	Shade township.
30	John K. Tedrow	do	Centreville borough.
31	Cyrus L. Snyder	do	Strystown borough.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of Somerset county, State of Pennsylvania, voting at the said election, amounts to thirty-one (31.)

Witness our hands the day and year aforesaid.

CYRUS L. SNYDER,
H. F. KNEPPER,
J. H. YUTZEY,
Judges of the Election.

Attest:
JEREMIAH A. MILLER,
SILAS A. WILL,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Somerset county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had 23 votes; Alexander H. Coffroth had 8 votes.

President judge, Alexander King had 24 votes; Francis M. Kimmell had 7 votes.

For representatives in the house of representatives of Pennsylvania, Moses A. Ross had 24 votes; David B. Armstrong had 24 votes; Hiram Findley had 7 votes; Benjamin F. Meyers had 7 votes.

For coroner, Francis Countryman had 24 votes; Urias Poorbaugh had 7 votes.

For county commissioner, Hiram Beam had 24 votes; Henry Rauch had 7 votes.

For director of the poor, Samuel Rhodes had 24 votes; Peter J. Baker had 7 votes.

For county auditor, William Meyers had 24 votes; Solomon Engle had 7 votes.

We hereby certify that the aforesaid tally-paper and list of votes are correct.

Witness our hands the day and year aforesaid.

JEREMIAH A. MILLER,
SILAS A. WILL,
Clerks.

Return of the election.

At an election held by the electors of Somerset county in company K of the 5th heavy artillery regiment of Pennsylvania, stationed at Piedmont, Fauquier county, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, 31 votes, of which William H. Koontz had 23 votes; Alexander H Coffroth had 8 votes.

For president judge there were cast 31 votes, of which Alexander King had 24 votes; Francis M. Kimmell had 7 votes.

For representatives in the house of representatives of Pennsylvania there were cast 31 votes, of which Moses A. Ross had 24 votes; David B. Armstrong had 24 votes; Hiram Findley had 7 votes; Benjamin F. Meyers had 7 votes.

For the office of coroner there were cast 31 votes, of which Francis Countryman had 24 votes; Urias Poorbaugh had 7 votes.

For the office of county commissioner there were cast 31 votes, of which Hiram Beam had 24 votes; Henry Rauch had 7 votes.

For the office of director of the poor there were cast 31 votes, of which Samuel Rhodes had 24 votes; Peter J. Baker had 7 votes.

For the office of county auditor there were cast 31 votes, of which William Meyers had 24 votes; Solomon Engle had 7 votes.

A true return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four.

Certified by us the day and year aforesaid.

CYRUS L. SNYDER,
1st Lieut. Co. K, 5th Reg't Pa. Vol. H. A. Soldiers,
H. F. KNEPPER,
1st Serg't Co. K, 5th Reg't Pa. Vol. H. A. Soldiers,
J. H. YUTZEY,
Serg't Co. K, 5th Reg't Pa. Vol. H. A. Soldiers,
Judges of the said Elections.

Attest:
JEREMIAH A. MILLER,
SILAS A. WILL,
Clerks.

Tickets.

Twenty-three tickets as follows:

State officers.—Congress, Wm. H. Koontz; members of the house of representatives, Moses A. Ross, David B. Armstrong.

County officers.—President judge, Alexander King; coroner, Francis J. Countryman; commissioner, Hiram Beam; poor-house director, Samuel H. Rhoads; auditor, William Meyers.

Seven tickets as follows:

State officers.—Congress, Alexander H. Coffroth; assembly, Hiram Findley, Benjamin F. Meyers.

County officers.—President judge, Francis M. Kimmell; coroner, Urias Poorbaugh; commissioner, Henry Rauch; poor-house director, Peter J. Baker; auditor, Solomon Engle.

One ticket as follows:

State officers.—Congress, A. H. Coffroth; members of the house of representatives, Moses A. Ross, David B. Armstrong.

County officers.—President judge, Alexander King; coroner, Francis J. Countryman; commissioner, Hiram Beam; poor-house director, Samuel A. Rhoades; auditor, William Meyers.

SOMERSET COUNTY, *ss:*

I hereby certify that the foregoing is a true and correct copy of the original, filed in this office 21st October, 1864.

Witness my hand and the seal of the common pleas court at Somerset, this 1st day of May, A. D. 1866.

[SEAL.]

CYRUS MEYERS,
Prothonotary.

No. 3.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Somerset county, in the State of Pennsylvania, in the actual military service under the requisition of the President of the United States, and being unable to attend any other proper place of election; this election being held at Haddington United States army hospital, Philadelphia, which place the said electors, being present, have selected for opening a poll, and certify herein; John A. J. Frigate, Hiram L. Stone, and Frank M. Girton being then and there duly elected judges of the said election, and Albert H. Mann and Jacob B. Lutz being duly appointed clerks of the same, and having been duly sworn or affirmed according to law.

JOHN A. J. FRIGATE,
HIRAM L. STONE,
FRANK M. GIRTON,
Judges.

ALBERT H. MANN,
JACOB B. LUTZ,
Clerks.

Number and names of the electors voting at the said election, who are residents of Somerset county, with their city, borough, township, ward, or precinct.

No.	Names of electors voting.	City, borough, ward, township, or precinct.
1	Samuel H. Smith	Lower Turkeyfoot township.
2	Philip Gieger	Chenner township.

Tally-paper or list of votes and returns for each person voted for at the said election by the qualified voters of Somerset county.

For representative in the House of Representatives in the Congress of the United States, Wm. H. Koontz had two votes.

For representatives in the house of representatives of Pennsylvania, David B. Armstrong had two votes; Moses A. Ross had two votes.

We hereby certify that the aforesaid tally-paper, list of voters and return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid, is correct, and a true return thereof, there being more than ten electors present and voting at the same.

JOHN A. J. FRIGATE,
HIRAM L. STONE,
FRANK McGIRTON,
Judges of said Election.

Attest:
ALBERT H. MANN,
JACOB B. LUTZ,
Clerks.

SOMERSET COUNTY, *ss:*

I hereby certify that the foregoing is a correct and true copy of the original, filed in the prothonotary's office on the 18th of October, A. D. 1866.

Witness my hand and the seal of the common pleas court at Somerset, this 1st day of May, A. D. 1866.

[SEAL.]

CYRUS MEYERS,
Prothonotary.

No. 4.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Somerset county, in the State of Pennsylvania, in the actual military or naval service under the requisition of the President of the United States, being unable to attend any company poll or other proper place of election; this election being held at White Hall United States army general hospital, which place the said electors, being present, have selected for opening a poll for the said election, and certify herein; Samuel S. Fries, Thomas S. Bartram, and John S. Krumbine being then and there duly elected judges of the said election, and Charles H. Ott and Benjamin F. Neirer being duly appointed clerks of said election, and being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, Samuel S. Fries, G. S. Bartram, and John S. Krumbine, judges of this election, and Charles H. Ott and Benjamin F. Neirer, clerks thereof, do each

severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same election.

JOHN S. KRUMBINE,
SAMUEL S. FRIES,
THOMAS G. BARTRAM,
Judges of the Election.
CHARLES H. OTT,
BENJAMIN F. NEIRER,
Clerks.

I hereby certify that Samuel S. Fries and John S. Krumbine, judges, and Charles H. Ott and Benjamin F. Neirer, clerks aforesaid, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

THOMAS G. BARTRAM,
Judge of the said Election.

I certify that Thomas S. Bartram, judge of election aforesaid, was also duly so sworn by me.

Witness my hand the date above written.

CHARLES H. OTT,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid White Hall United States army general hospital to be the place of opening a poll for the said election.

Witness our hands the day and year aforesaid.

SAMUEL S. FRIES,
THOMAS G. BARTRAM,
JOHN L. KRUMBINE,
Judges of said Election.

Attest:
CHARLES H. OTT,
BENJAMIN F. NEIRER.

List of electors voting at the said election.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	George C. Chisner, Co. F, 45	Somerset county....	Gener township.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of Somerset county, State of Pennsylvania, voting at the said election, amounts to one.

Witness our hands the day and year aforesaid.

SAMUEL S. FRIES,
THOMAS G. BARTRAM,
JOHN S. KRUMBINE,
Judges of the Election.

Attest:
CHAS. H. OTT,
BENJAMIN F. NEIRER,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Somerset county, State of Pennsylvania.

For representative in the House of Representatives in the Congress of the United States, William H. Koontz had one vote.

For representatives in the house of representatives of Pennsylvania, David B. Armstrong had one vote; Moses A. Ross had one vote.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

CHARLES H. OTT,
BENJAMIN F. NEIRER,
Clerks.

Return of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Somerset county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll, or their proper place of election, at Whitehall United States army general hospital, being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the House of Representatives in the Congress of the United States, — votes; of which William H. Koontz had one vote.

For representatives in the house of representatives of Pennsylvania there were cast — votes; of which David B. Armstrong had one vote; Moses A. Ross had one vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

SAMUEL S. FRIES,
Hosp'l Steward U. S. A. Soldiers.
THOMAS G. BARTRAM,
Acting Ass't Surgeon U. S. A. Soldiers.
JOHN S. KRUMBINE,
Co. A, 93d Reg't Pa. Soldiers.

Attest:
CHARLES H. OTT,
BENJAMIN F. NEIRER,
Clerks.

Tickets.—For Congress, William H. Koontz; legislature, David B. Armstrong, Moses A. Ross.

SOMERSET COUNTY, *ss:*

I hereby certify that the foregoing is a true copy of the original filed in this office on the 17th day of October, A. D. 1864.

Witness my hand and the seal of the common pleas court, at Somerset, this 1st day of May, A. D. 1866.

[SEAL.] CYRUS MYERS, *Prothonotary.*

No. 5.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Somerset county, State of Pennsylvania, in the actual military or naval service under the requisition of the President of the United States, and being unable to attend any company poll, or other proper place of election, this election being at Claryville hospital, Maryland, which place they, the said electors, being present, have selected for opening a poll for the said election and certify herein; Joseph E. Abell, James S. Henny, and William Parshall being then and there duly elected judges of the said election, and E. M. Bynor and Levi S. Patterson being duly appointed clerks of the said election, and being all severally sworn according to the certificates herewith returned.

Oaths and affirmations of the judges and clerks.

We, Joseph E. Abell, James L. Henny, and William Parshall, judges of the election, and E. M. Bynor and Levi S. Patterson, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of said election, severally acting as set forth in the act of general assembly of the State of Pennsylvania, entitled "An act regulating elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the said election.

JOSEPH E. ABELL,
WILLIAM PARSHALL,
JAMES L. HENNY,
Judges of the Election.

Attest:
E. M. BYNOR,
LEVI PATTERSON,
Clerks of the Election.

I hereby certify that James L. Henny and William Parshall, judges, and Levi S. Patterson and E. M. Bynor, clerks of the said election, were, before proceeding to take any votes at said election, first of all severally sworn as aforesaid by me.

Witness my hand the eleventh day of October, A. D. one thousand eight hundred and sixty-four.

JOSEPH E. ABELL,
Judge of the said Election.

I hereby certify that the aforesaid Joseph E. Abell, judge of said election, was also so duly sworn by me.

Witness my hand the date above written.

E. M. BYNOR,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid ———————— to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

JOSEPH E. ABELL,
WILLIAM PARSHALL,
JAMES L. HENNY,
Judges of the Election.

Attest:
E. M. BYNOR,
LEVI S. PATTERSON,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	John Myers	Somerset county	Salisbury borough.
2	Henry J. Hershhiser	do	Greenville borough.

It is hereby certified to by us that the aforesaid list of electors voting at the said election is correct, and that the number of electors of ——— county, State of Pennsylvania, voting at this election, amounts to ——.

Witness our hands the day and year aforesaid.

JOS. E. ABELL,
JAMES L. HENNY,
WILLIAM PARSHALL,
Judges of the Election.

Attest:
E. M. BYNOR,
LEVI S. PATTERSON,
Clerks.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Somerset county, State of Pennsylvania.

For representative in the House of Represenatives of the United States, W. H. Koontz had two (2) votes.

For representatives in the house of representatives of Pennsylvania, David B. Armstrong had one (1) vote; Moses A. Ross had one (1) vote.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

Witness our hands the day and year aforesaid.

E. M. BYNOR,
LEVI S. PATTERSON,
Clerks.

Return of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Somerset county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll or other proper place of election, at hospital, Claryville, Maryland, being the place selected by the said electors for opening the poll for this election, there were cast two votes for representative in the Congress of the United States; of which W. H. Koontz had two (2) votes.

For representatives in the house of representatives of Pennsylvania there were cast — votes; of which David B. Armstrong had one (1) vote; Moses A. Ross had one vote.

A true return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

WILLIAM PARSHALL,
Co. A, 12th Reg't Pa. Soldiers,
JAMES L. HENNY,
Co. E, 54th Reg't Pa. Vol. Sols.,
JOS. E. ABELL,
Co. A, 22d Reg't Pa. Vol. Soldiers,
Judges of the said Election.

Attest;
E. M. BYNOR,
LEVI S. PATTERSON,
Clerks.

Tickets.

1. State ticket for Congress, W. H. Koontz.

2. State ticket for Congress, W. H. Koontz; assembly, David B. Armstrong and Moses A. Ross.

SOMERSET COUNTY, *ss:*

A true copy of the original filed in the prothonotary's office 14th October, 1864. Certified the 1st day of May, A. D. 1866.

Witness my hand and the seal of the common pleas court at Somerset, the day and year aforesaid.

[SEAL.]

CYRUS MEYERS,
Prothonotary.

No. 6.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Somerset county, in the State of Pennsylvania, in the actual military service under the requisition of the President of the United States, and being unable to attend any other proper place of election; this election being held at Cuyler United States army hospital, Philadelphia, which place the said electors, being present, have selected for opening a poll and certify herein; Darius L. Sanders, James Kester and Craig Carney being then and there duly elected judges of the said election, and Henry Kingston and Robert C. Clark being duly appointed clerks of the same, and having been duly sworn or affirmed according to law.

DARIUS L. SANDERS,
Sergt. Co. H, 148th Pa.,
JAMES KESTER,
Corporal Co. F, 143d Pa.,
CRAIG CARNEY,
Private Co. E, 99th Pa.,
Judges.

Attest:
HENRY KINGSTON,
Sergt. Co. E, 188th Pa.,
ROBERT C. CLARK,
162d Co., V. R. C.,
Clerks.

Number and names of the electors voting at the said election who are residents of Somerset county, with their city, borough, township, ward, or precinct.

No.	Names of electors voting.	City, borough, township, ward, or precinct.
1	Henry Ware, private, Co. F, 142d Pa....	Allegheny.

Tally-paper or list of votes and returns for each person voted for at the said election, by the qualified voters of Somerset county.

For representative in the House of Representatives in the Congress of the United States, William H. Koontz had (1) one vote.

For representatives in the house of representatives of Pennsylvania, David B. Armstrong had (1) one vote; Moses A. Ross had (1) one vote.

We hereby certify that the aforesaid tally-paper or list of votes and return of the election held as aforesaid, on the second Tuesday of October, A. D. one

thousand eight hundred and sixty-four, certified by us the day and year aforesaid, is correct and a true return thereof.

DARIUS L. SANDERS,
Sergt. Co. H, 148th Pa.,
JAMES KESTER,
Corporal Co. F, 143d Pa.,
CRAIG CARNEY,
Private Co. E, 99th Pa.,
Judges of said Election.

Attest:
HENRY KINGSTON,
Sergt. Co. E, 188th Pa.,
ROBERT C. CLARK,
162d Co., V. R. C.,
Clerks.

Ticket.

State ticket—For Congress, 16th district, William H. Koontz.
Senate.—Assembly, David B. Armstrong, Moses A. Ross.

SOMERSET COUNTY, *ss:*

I hereby certify that the foregoing is a true and correct copy of the original filed in the prothonotary's office on October 24, 1864.

Witness my hand and the seal of the common pleas court at Somerset, this 1st day of May, A. D. 1866.

[SEAL.]

CYRUS MEYERS,
Prothonotary.

No. 7.

Poll book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Somerset county, in the State of Pennsylvania, in the actual military service under the requisition of the President of the United States, and being unable to attend any other proper place of election; this election being held at McClellan United States army general hospital, which place the said electors, being present, have selected for opening a poll, and certify herein; William Cox, W. H. Walling, and John M. Kessler being then and there duly elected judges of said election, and Charles A. Stein and A. T. Black being duly appointed clerks of the same, and having been duly sworn or affirmed according to law.

JOHN M. KESSLER,
WILLIAM COX,
W. H. WALLING,
Judges.
CHARLES A. STEIN,
A. T. BLACK,
Clerks.

Number and names of the electors voting at the said election who are residents of Somerset county, with their city, borough, township, ward, or precinct.

No.	Names of electors voting.	City, ward, borough, township, or precinct.
1	John Reed, "H," 187.....	Stony Creek.

Tally-paper and returns or list of votes for each person voted for at the said election by the qualified voters of Somerset county.

For representative in the House of Representatives in the Congress of the United States, William H. Koontz had one (1) vote.

For representative in the house of representatives of Pennsylvania, David B. Armstrong had one (1) vote; Moses A. Ross had one (1) vote.

We hereby certify that the aforesaid tally-papers, list of votes, and returns of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid, is correct and a true return thereof, there having been more than ten qualified voters of said State present at the election held as aforesaid.

JOHN M. KESSLER,
WILLIAM COX,
W. H. WALLING,
Judges of said Election.

Attest:
CHARLES A. STEIN,
A. T. BLACK,
Clerks.

Tickets.—For Congress, sixteenth district, William H. Koontz. For assembly, David B. Armstrong, Moses A. Ross.

STATE OF PENNSYLVANIA, *County of Somerset, ss:*

I hereby certify that the foregoing is a true and full copy of the original filed in the prothonotary's office in said county, on the 18th day of October, 1864.

Witness my hand and official seal, at Somerset, this 1st May, 1866.

[L. S.] CYRUS MEYERS,
Prothonotary.

Election returns.

At an election held on the second Tuesday of October, in the year one thousand eight hundred and sixty four, by the qualified voters of Somerset county, in company E, of the 211th regiment Pennsylvania volunteers, held at camp near Bermuda Hundred, Virginia, George H. Brant, Henry B. Blackburn, and Richard B. White being duly elected judges of said election, and Lewis Thompson and John Mathiot being duly appointed clerks of said election, being all severally sworn according to law.

The following persons received the number of votes set opposite their names:

For auditor, William Meyers had two votes.

For coroner, Francis J. Countryman had two (2) votes.

For poor-house director, Samuel A. Rhoads had two (2) votes.

For commissioner, Hyram Beam had two (2) votes.

For president judge, Alexander King had two (2) votes.

For Congress, William H. Koontz had two (2) votes.

For assembly, Moses A. Ross had two (2) votes; David B. Armstrong had two (2) votes.

HENRY BLACKBURN,
GEORGE A. BRANT,
R. B. WHITE,
Judges.

Attest:
LEWIS THOMPSON,
JOHN MATHIOT.

List of electors voting.

Ludwick Gardner, Somerset county, Jefferson township.

Peter Bealman, Somerset county, Quemahoning township.

Tally-paper, Somerset county.

For auditor, William Meyers had two (2) votes.
For coroner, Francis J. Countryman had two (2) votes.
For poor-house director, Samuel A. Rhoads had two (2) votes.
For commissioner, Hyram Beam had two (2) votes.
For president judge, Alexander King had two (2) votes.
For Congress, William H. Koontz had two (2) votes.
For assembly, Moses A. Ross had two (2) votes; David B. Armstrong had two (2) votes.

SIR: The regular poll-book is sent to the prothonotary of Westmoreland county. There being only two votes from your county in our company, we did not deem it expedient to make a separate poll-book.

L. THOMPSON *Clerk.*

PROTHONOTARY.

SOMERSET COUNTY, *ss:*

I hereby certify that the foregoing is a true and correct copy of the original filed in the prothonotary's office on October 21, 1864.

Witness my hand and official seal this 1st May, 1866.

[L. S.] CYRUS MEYERS,
Prothonotary.

No. 9.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Somerset county, in the State of Pennsylvania, in the actual military service under the requisition of the President of the United States, and being unable to attend any other proper place of election; this election being held at Mower United States army general hospital, which place the said electors, being present, have selected for opening a poll, and certify herein; Wm. H. Turner, W. Martin, and W. S. Bowman being then and there duly elected judges of the said election, and W. A. Calderwood and R. J. Edmund being duly appointed clerks of the same, and being duly sworn or affirmed according to law.

W. H. TURNER,
W. S. BOWMAN,
WILKIE MARTIN,
Judges.
W. A. CALDERWOOD,
R. J. EDMUND,
Clerks.

Number and names of the electors voting at the said election who are residents of Somerset county, with their city, borough, township, ward, or precinct.

No.	Names of electors voting.	City, borough, ward, township, or precinct.
1	William H. Owens	Allegheny township.
2	David Dumire	Somerset township.
3	J. Albright	Greenville township.
4	George Hemminger	Somerset township.
5	Peter Pile	Milford township.

Tally-paper or list of votes and returns for each person voted for at the said election by the qualified voters of Somerset county.

For representative in the House of Representatives in the Congress of the United States, Wm. H. Koontz had five votes.

For representatives in the house of representatives of Pennsylvania, David B. Armstrong had five votes; Moses A. Ross had five votes.

We hereby certify that the aforesaid tally-paper, list of votes, and return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid, is correct, and a true return thereof.

W. H. TURNER,
W. S. BOWMAN,
WILKIE MARTIN,
Judges of said Election.

Attest:
W. A. CALDERWOOD,
R. J. EDMUND,
Clerks.

SOMERSET COUNTY, *ss:*

I hereby certify that the foregoing is true and correct copy of the original filed in the prothonotary's office on October 24, 1864.

Witness my hand and official seal this 1st of May, 1866.

[SEAL.] CYRUS MEYERS,
Prothonotary.

Five tickets, as follows: "State ticket for Congress, sixteenth district, Wm. H. Koontz;" "Senate;" "Assembly, David B. Armstrong, Moses A. Ross."

No. 10.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Somerset county, State of Pennsylvania, in the actual military or naval service under the requisition of the President of the United States, and being unable to attend any company poll or other place of election, this election being at camp 15th United States infantry, Lookout mountain, Georgia, which place they, the said electors, being present, having selected for opening a poll for the said election, and certify herein; Jacob D. Hoak, William Clymer, and Henry Carson being then and there duly elected judges of the said election, and John R. O'Kelley and Benjamin Kaster being duly appointed clerks of the said election, and being all severally sworn according to the certificates herewith returned.

Oaths and affirmations of the judges and clerks.

We, Jacob D. Hoak, William Clymer, Henry Carson, judges of this election, and John R. O'Kelley and Benjamin Kaster, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of said election, severally acting as set forth in the act of the general assembly of the State of Pennsylvania, entitled "An act regulating elections by soldiers in actual military

service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the said election.

JACOB D. HOAK,
WILLIAM CLYMER,
HENRY CARSON,
Judges of the Election.

Attest:
JOHN R. O'KELLEY,
BENJAMIN KASTER,
Clerks of the Election.

I hereby certify that Jacob D. Hoak and Henry Carson, judges, and John R. O'Kelley and Benjamin Kaster, clerks of the said election, were, before proceeding to take any votes at said election, first of all severally sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

WILLIAM CLYMER,
Judge of said Election.

I hereby certify that William Clymer, judge of said election, was also so duly sworn by me.

Witness my hand the date above written.

JOHN R. O'KELLEY,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid camp, 5th United States infantry, Lookout mountain, Georgia, to be the place for opening a poll for the said election.

Witnes our hands the day and year aforesaid.

JACOB D. HOAK,
WILLIAM CLYMER,
HENRY CARSON,
Judges of said Election.

Attest:
JOHN R. O'KELLEY,
BENJAMIN KASTER,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	John R. Eddie	Somerset county	Somerset borough.
2	Joseph H. Pritts	do	Millford township.

It is hereby certified to by us that the aforesaid list of electors voting at said election is correct, and that the number of electors of Somerset county, State of Pennsylvania, voting at this election, amounts to two.

Witness our hands the day and year aforesaid.

JACOB D. HOAK,
WILLIAM CLYMER,
HENRY CARSON,
Judges of said Election.

Attest:
JOHN R. O'KELLEY,
BENJAMIN KASTER,
Clerk.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Somerset county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had two votes.

For senator in the senate of the State of Pennsylvania, William F. Smith had one vote.

For representatives in the house of representatives of Pennsylvania, David B. Armstrong had one vote; Moses A. Ross had one vote.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

Witness our hands the day and year aforesaid.

JOHN R. O'KELLEY,
BENJAMIN KASTER,
Clerks.

Return of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Somerset county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll or their proper place of election, at camp 15th infantry, Lookout mountain, Georgia, being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the House of Representatives in the Congress of the United States, two votes; of which William H. Koontz had two votes.

For senator in the senate of the State of Pennsylvania there was cast one vote; of which William F. Smith had one vote.

For representatives in the house of representatives of Pennsylvania there was cast one vote; of which David B. Armstrong had one vote; Moses A. Ross had one vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

JACOB D. HOAK,
WILLIAM CLYMER,
HENRY CARSON,
Judges of said Election.

Attest:
JOHN R. O'KELLEY,
BENJAMIN KASTER,
Clerks.

Tickets.

1. State ticket: For Congress, sixteenth district, William H. Koontz.
2. State ticket: For Congress, sixteenth district, William H. Koontz; senate, William F. Smith; assembly, David B. Armstrong, Moses A. Ross.

SOMERSET COUNTY, *ss:*

I hereby certify that the foregoing is a true and correct copy of the original filed in this office on the 22d day of October, 1864.

Witness my hand and the seal of the court of common pleas, at the prothonotary's office, Somerset, this 1st day of May, 1866.

[SEAL.]

CYRUS MEYERS, *Prothonotary.*

No. 11.

Poll-book of the election held on the second Tuesday of October, one thousand eight hundred and sixty-four, by the qualified electors of sixteenth congressional district, State of Pennsylvania, in the actual military or naval service under the requisition of the President of the United States, and being unable to attend any company poll or other place of election, the election being at third division general hospital, Alexandria, Virginia, which place they, the said electors, being present, have selected for opening a poll for the said election, and certify herein; Thos. Howard, Chas. H. Coleman, Jno. F. Weikert being then and there duly elected judges of said election, and Jas. M. Stevenson and Daniel S. Lamb being duly appointed clerks of said election, and being all severally sworn or affirmed according to the certificates herewith returned.

Oaths and affirmations of the judges and clerks.

We, Thomas Howard, Charles H. Coleman, and John F. Weikert, judges of this election, and Jas. M. Stevenson and Daniel S. Lamb, clerks thereof, do each severally affirm that we will duly perform the duties of judges and clerks of said election, severally acting as above set forth, according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

Sergeant THOS. HOWARD, Co. H, 5th H. A.,
Private CHARLES H. COLEMAN, Co. I, 104th,
Private JOHN F. WEIKERT, Co. B, 138th,
Judges.

JAS. M. STEVENSON,
DANIEL S. LAMB,
Clerks.

I hereby certify that Thomas Howard and Charles H. Coleman, judges, and Jas. M. Stevenson and Daniel S. Lamb, clerks, were, before proceeding to take any votes at said election, first duly affirmed as aforesaid.

Witness my hand this 11th of October, A. D. one thousand eight hundred and sixty-four.

Private JOHN F. WEIKERT, Co. B, 138th,
Judge of Election.

I certify that John F. Weikert, judge aforesaid, was also so affirmed by me. Witness my hand the date before written.

JAS. M. STEVENSON,
Clerk of Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid third division general hospital, Alexandria, Virginia, to be the place for opening a poll for the said election.

Sergeant THOS. HOWARD, Co. H, 5th H. A.,
Private CHARLES H. COLEMAN, Co. I, 104th,
Private JOHN F. WEIKERT, Co. B, 138th,
Judges of the said Election.

Attest:
J. M. STEVENSON,
DANIEL S. LAMB,
Clerks.

Number and names of the qualified electors of the sixteenth congressional district, State of Pennsylvania, voting at said election.

No.	Names of electors.	County.	Township, borough, ward, or precinct.
1	Levi Beck	Adams	Mt. Pleasant.
2	John F. Weikert	do	Cumberland.
3	George W. Kahle	Franklin	Greene.
4	Jno. R. Batts	Somerset	Jenner.
5	Christ. Deitz	do	Do.
6	Henry H. Lambert	do	Stony Creek.
7	Eli H. Crumm	Adams	Manillen.

It is hereby certified by us that the aforesaid list of electors voting at the said election is correct, and that the number of electors of the sixteenth congressional district, State of Pennsylvania, voting at this election, amounts to seven (7.)

Witness our hands the day and year aforesaid.

Sergeant THOMAS HOWARD,
Company H, 5th H. Art.,
Private CHAS. H. COLEMAN,
Company I, 104th.,
Private JOHN F. WEIKERT,
Company B, 138th.,
Judges of the Election.

Attest:
JAS. M. STEVENSON,
DANIEL S. LAMB,
Clerks.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of the sixteenth congressional district, State of Pennsylvania.

For representative in the House of Representatives of the United States, Wm. H. Koonce had five (5) votes.

For representative in the house of representatives of Pennsylvania, David M. Meyers had two votes; David B. Armstrong and Moses A. Ross had three votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

JAS. M. STEVENSON,
DANIEL S. LAMB,
Clerks.

Returns of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of the sixteenth congressional district, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll or other proper place of election, at third division general hospital, Alexandria, Virginia, being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the house of Representatives of the United States five (5) votes; of which Wm. H. Koonce had five (5) votes.

For representative in the house of representatives of Pennsylvania there were cast five (5) votes; of which David M. Meyers had two (2) votes; David B. Armstrong and Moses A. Ross had three (3) votes.

A true return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

Sergeant THOMAS HOWARD,
Company H, 5th H. Art.,
Private CHARLES H. COLEMAN,
Company I, 104th,
Private John F. WEIKERT,
Company B, 138th.,
Judges of the said Election.

Attest:
JAS. M. STEVENSON,
DANIEL S. LAMB,
Clerks.

4 tickets as follows: "State ticket for Congress, William H. Koontz, sixteenth district."
1 ticket as follows: "Congress, William H. Koontz, 16."
1 ticket as follows: "State ticket for Congress, G. H. Coffroth, district 16."
2 tickets as follows: "Assembly, David M. Meyers."
3 tickets as follows: "Assembly, David B. Armstrong, Moses A. Ross."

SOMERSET COUNTY, *ss:*

I hereby certify that the foregoing is a true and correct copy of the original filed in the prothonotary's office on October 15, 1864.

Witness my hand and the seal of the common pleas court at Somerset, this 1st day of May, A. D. 1866.

[SEAL.]

CYRUS MEYERS,
Prothonotary.

No. 12.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Somerset county, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company F, of the one hundred and ninety-eighth regiment of Pennsylvania volunteers, held at camp in the field, near Petersburg, Virginia, John D. M. Armbrust, Powell Stackhouse, and William C. Smith being duly elected judges of the said election, and Jacob C. Stineman and Edward C. Thomas being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, Powell Stackhouse and William C. Smith, judges of this election, and Jacob C. Stineman and Edward C. Thomas, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act regulating elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

POWELL STACKHOUSE,
WILLIAM C. SMITH,
Judges.
JACOB C. STINEMAN,
EDWARD C. THOMAS,
Clerks.

I hereby certify that the aforesaid Powell Stackhouse and William C. Smith, judges, and Jacob C. Stineman and Edward C. Thomas, clerks, were, before proceeding to take any votes at said election, first duly sworn, as aforesaid, by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

JOHN D. ARMBRUST,
Judge of the said Election.

I certify that John D. M. Armbrust, judge of election aforesaid, was also duly sworn according to law by me.

Witness my hand the date above written.

EDWARD C. THOMAS,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid camp in the field, near Petersburg, Virginia, to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

JOHN D. M. ARMBRUST,
POWELL STACKHOUSE,
WILLIAM C. SMITH,
Judges of said Election.

Attest:
JACOB C. STINEMAN,
EDWARD C. THOMAS,
Clerks.

Number and names of the electors voting at said election, and their county, borough, or township of residence.

No.	Names of electors voting.	County.	Township or borough.
1	Edward Ling	Somerset county	Jenner township.
2	Allen Shunk	do	Do.
3	George Hudenfelter	do	Conemaugh township.
4	John H. Lloyd	do	Jenner township.
5	Charles B. Elsworth	do	Shade township.
6	Jonathan Berkey	do	Conemaugh township.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of Somerset county, State of Pennsylvania, voting at the said election, amounts to six.

Witness our hands the day and year aforesaid.

JOHN D. M. ARMBRUST,
POWELL STACKHOUSE,
WILLIAM C. SMITH,
Judges of the Election.

Attest:
JACOB C. STINEMAN,
EDWARD C. THOMAS,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Somerset county, State of Pennsylvania.

For representative in the House of Representatives of the United States William H. Koontz had six votes.

For representatives in the house of representatives of Pennsylvania, David B. Armstrong had three votes; Moses A. Ross had two votes.

President judge: Alexander King had four votes.
Coroner: F. J. Countryman had six votes.
Commissioner: Hiram Beam had five votes.
Poor-house director: Samuel A. Rhoades had four votes.
Auditor: William A. Meyers had four votes.

We hereby certify that the aforesaid tally and list of votes is correct.
Witness our hands the — and year aforesaid.

JACOB C. STINEMAN,
EDWARD C. THOMAS,
Clerks.

Return of the election.

At an election held by the electors of Somerset county, in company F, of the one hundred and ninety-eighth regiment of Pennsylvania soldiers, at camp in the field, near Petersburg, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, six votes; of which William H. Koontz had six votes.

For representatives in the house of representatives of Pennsylvania there were cast five votes; of which David B. Armstrong had three votes; Moses A. Ross had two votes.

For president judge there were cast four votes; of which Alexander King had four votes.

For the office of coroner there were cast six votes; of which Francis J. Countryman had six votes.

For the office of county commissioner there were cast five votes; of which Hiram Beam had five votes.

For the office of director of the poor there were cast four votes; of which Samuel A. Rhoades had four votes.

For the office of county auditor there were cast four votes; of which William A. Meyers had four votes.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

JOHN D. M. ARMBRUST,
4th Sergeant Co. F, 198th Reg. Penn. Vols.
POWELL STACKHOUSE,
Captain Co. F, 198th Penn. Volunteers.
WILLIAM C. SMITH,
5th Sergeant Co. F, 198th Reg. Penn. Vols.

JACOB C. STINEMAN,
Corporal Co. F, 198th Reg. Penn. Vols.,
EDWARD C. THOMAS,
Corporal Co. F, 198th Reg. Penn. Vols.,
Clerks.

STATE OF PENNSYLVANIA, *Somerset County, ss:*

I, Cyrus Meyers, prothonotary of said county, do hereby certify the foregoing to be a true copy of the original filed in this office October 17, 1864.

Witness my hand and official seal, at Somerset, May 5, 1866.
[SEAL.]
C. MEYERS, *Prothonotary.*

No. 13

STATE OF PENNSYLVANIA,
Office of the Secretary of the Commonwealth.

Among the returns of the election held on the 11th day of October, A. D. 1864, transmitted to and received at this department from Mower United States army general hospital, Philadelphia, Pennsylvania, it is thus contained:

Names of voters from Somerset county.

No.	Names of voters.	County.
1	William H. Owens	Allegheny township.
2	David Ow	Somerset township.
3	J. Albright	Greenville township.
4	George Heminger	Somerset township.
5	Peter Pile	Milford township.
	Summit House U.S.A. hospital, West Philadelphia, Pa.	
1	Christian M. Miller, Co. D, 142d regt	Penn township.

Names of candidates.	Number of ballots.
U. S. Congress—Wm. H. Koontz	Six votes (6.)

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of said election return so far as the same relates to the county of Somerset. In witness whereof, [SEAL.] I have hereunto set my hand and caused the seal of said office to be affixed this twenty-sixth day of October, A. D. one thousand eight hundred and sixty-four.

ELI SLIFER,
Secretary of the Commonwealth.

SOMERSET COUNTY, *ss:*

I hereby certify that the foregoing is a true and correct copy of the original filed in the prothonotary's office on October 28, 1864.

Witness my hand and the seal of the common pleas court at Somerset, this 1st day of May, A. D. 1866.

[SEAL.] CYRUS MEYERS, *Prothonotary.*

No. 14.

STATE OF PENNSYLVANIA,
Office of the Secretary of the Commonwealth.

Among the returns of the election held on the 11th day of October, A. D. 1864, transmitted to, and received at, this department from Rendezvous of Distribution, Virginia, it is thus contained:

Names of voters from Somerset county.

No.	Names of voters.	County.
1	Ananias S. Berkey	Somerset township.
2	James M. Tishue	Addison township.
3	Ringold Marker	Milford township.
4	J. H. Farling	Do.
5	J. L. Sipe	Do.
	U. S. A. general hospital, Philadelphia.	
1	Jesse McVicker	Allegheny township.
	Baptist Church hospital, Alexandria, Va.	
1	Aaron Lohr	Jenner township.
2	George Ludy	Do.
	Lincoln general hospital.	
1	J. Rowel	Do.
	Armory Square hospital.	
1	Joseph B. Humbert	Milford township.
	Jarvis U. S. A. general hospital, Baltimore, Md.	
1	Samuel Porter	Londonderry township.
	Cuyler general hospital, Philadelphia, Pa.	
1	Henry Ware	Allegheny township.
	McClellan U. S. A. general hospital.	
1	John Reed	Stony Creek.

Names of Candidates.	No. of ballots.
U. S. Congress—Wm. H. Koontz	Twelve votes (12.)
Alex. H. Coffroth	One vote (1.)

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of said election return, so far as the same relates to the county of Somerset. In witness whereof, [L. S.] I have hereunto set my hand and caused the seal of said office to be affixed this twenty-sixth day of October, A. D. one thousand eight hundred and sixty-four.

ELI SLIFER,
Secretary of the Commonwealth.

SOMERSET COUNTY, *ss:*

I hereby certify that the foregoing is a true and correct copy of the original filed in the prothonotary's office on October 28, A. D. 1864.

Witness my hand and the seal of the common pleas court, at Somerset, this [SEAL.] first day of May, A. D. 1866.

CYRUS MEYERS, *Prothonotary.*

No. 15.

Among the returns of an election held at the house of Jacob Custer, in Stoystown borough, for the township of Quemahoning, on the 11th day of October, A. D. 1864, there is the following:

List of voters at a general election held at the house of Jacob Custer, in the borough of Stoystown, for the township of Quemahoning, on the 11th day of October, 1864.

1 David Bruford.
2 Joseph Blowert.
3 Samuel Kimmell.
4 Henry Shaffer.
5 Jacob H. Miller.
6 Mark Busecker.
7 Jacob J. Miller.
8 Elijah Williams.
9 Samuel J. Miller.
10 William C. Barnett.
11 Jacob Spengler.
12 Daniel Berkey.
13 Philip C. Maurier.
14 Wm. Willis.
15 Jacob Baust.
16 Henry Custer.
17 Jacob Burket.
18 Henry Reseling.
19 Adam Maurier.
20 Joseph J. Zimmerman
21 George Miller.
22 Joseph Zimmerman.
23 Adam H. Maurier.
24 Nicholas Barnett.
25 Michael Zimmerman.
26 David Cryssier.
27 James Hoover.
28 Jacob Zimmerman.
29 Peter Miller.
30 John Barnett.
31 Henry Lapo.
32 Edward Weakline.
33 Charles Miller.
34 Samuel Swant.
35 Elias Cryssey.
36 Lewis Ober.
37 John Hoover.
38 Benjamin Bowman.
39 Abraham Thomas, sr.
40 William Peterson.
41 Nathaniel Zimmerman.
42 Abraham Thomas.
43 Aaron Blough.
44 Henry Maurier.
45 Henry Blough.
46 Jacob Barnhard.
47 Adam Barnhard.
48 William Spangler.
49 Noah S. Miller.
50 Frederick Gouder.
51 Philip Shover.
52 Isaac Diberd.
53 Valentine J. Miller.
54 Michael Dickey.
55 John J. Sprich.
56 Noah B. Blough.
57 John H. Fry.
58 John Giger.
59 B. F. Mealey.
60 Joseph Meyers.
61 Gillian Muse.
62 Valentine Muler.
63 Jefferson Sprieher.
64 Jacob Maurier.
65 John Smith.
66 Joseph Beakley.
67 John Wong.
68 G. A. Gardner.
69 Frederick Stutz.
70 David Burchley.
71 James Bohan.
72 Peter Lohre.
73 Emanuel Custer.
74 Samuel Wilt.
75 John S. Horner.
76 Josiah Blansert.
77 Henry Zimmerman.
78 Isaac P. Miller.
79 Abraham Mumah.
80 Daniel Forney.
81 John S. Ackerman.
82 Noah Bowman.
83 S. S. Swank.
84 John Wigle.
85 David Bowman.
86 Jacob Borkey, sr.
87 Noah Shaffer.
88 Michael Barnhard.
89 Jacob Shafer, sr.
90 Joseph Kocher.
91 Noah Swank.
92 Josiah Blough.
93 William Bowman.
94 John Bowman.
95 George Kocker.
96 Emanuel J. Blough.
97 Henry Lohre.
98 Josiah Wilt.
99 A. G. Frederick.
100 Abra'm Zimmerman.
101 John J. Blough.
102 Frede'k Zimmerman.
103 A. J. Lohr.
104 Cyrus Ankeny.
105 Charles Weigle.
106 Noah T. Blough.
107 William Blough.
108 Abraham Blough.
109 John Barnhard.
110 S. J. Fligle.
111 Lewis Allen.
112 John Volman.
113 Henry Spengler.
114 Nathaniel Dickey.
115 Andrew Horner.
116 George Ackerman.
117 Benedick Lilley.
118 John Metzger.
119 John Ober.
120 Samuel S. Miller.
121 Jacob H. Shafer.
122 Jared Norris.
123 C. L. Kime.
124 Valentine Lohre.
125 G. W. Clark.
126 John Clark.
127 William Sawyer.
128 Christian Sawyer.
129 Daniel Horner.
130 George Gardner.
131 William H. Miller.
132 Emanuel Blough.
133 John Stufft.
134 Adam Zimmerman.
135 John Stinebaugh.
136 Jacob Kimell.
137 Daniel Malone.
138 Charles Dickey.

139 John Sell.
140 John G. Stahl.
141 William Febridge.
142 John Kime.
143 William C. Miller.
144 John Balser.
145 Samuel Wreford.
146 James Kimmell.
147 Peter P. Blough.
148 William Wilt.
149 Jacob Koontz.
150 David Barnhard.
151 Abraham Keyser.
152 William J. Miller.
153 Tobias Beachley.
154 Joseph Bruch.
155 Michael Spengler.
156 Peter Gardner.
157 George Ringler.
158 Joseph Bender.
159 George Metzger.
160 George Zimmerman.

Return of votes to the judges delegated from the different districts of the county of Somerset, to meet at the court-house in the borough of Somerset.

At an election held on Tuesday, the 11th day of October, 1864, at the house of Jacob Custer, in the borough of Stoystown, for Quemahoning township, in the county of Somerset, on closing the poll and counting the votes, it appeared that—

For Congress, W. H. Koontz had one hundred and nine (109) votes; Alexander H. Coffroth had fifty-one (51) votes.

In testimony, we, the inspectors and judge of the said district, have hereunto set our hands and seals the 11th day of October, A. D. 1864.

JOHN J. SPRICHER. [SEAL.]
GEORGE METZGAR. [SEAL.]
JEFFERSON SPRICHER. [SEAL.]

Attest:
WILLIAM BOWMAN,
NOAH B. BLOUGH,
Clerks.

SOMERSET COUNTY, *ss:*

I certify that the foregoing are correct copies of the list of voters and return of votes of an election held for Quemahoning township, on October 11, 1864, so far as the same relate to the office of member of the House of Representatives of the United States.

Witness my hand and the seal of the common pleas court, at Somerset, this 9th day of May, A. D. 1866.

[SEAL.] CYRUS MEYERS, *Prothonotary.*

No. 16.

SOMERSET COUNTY, *ss:*

Among the returns of an election held for Somerset township, in said county, at the court-house in said county, on the 11th day of October, A. D. 1864, on file in this office, there is contained the following:

List of voters, congressional election, October 11, 1864, *in Somerset township.*

1 Peter Fleck,
2 John King,
3 A. A. Tayman,
4 Sam. Saylor, sr.,
5 Daniel Crouse,
6 Jacob Countryman,
7 Alexander Enos,
8 Sam. D. Koontz,
9 Joseph Anenery,
10 Lem. Chorpenning,
11 Jacob Miller,
12 C. Cline,
13 Sam. Saylor, jr.,
14 Eli Mount,
15 Daniel A. Cheen,
16 Joel Stahl,
17 J. C. Banore,
18 Joe Bottner,
19 H. Chorpenning,
20 John Sampson,
21 Ed. Lichty,
22 E. P. Adams,
23 John Rhoades,
24 Sol Seibert,
25 Gile Koontz,
26 Alex. Berford,
27 P. J. Schaulis,

28 H. J. Schaulis,
29 Alex. Miller,
30 Levi Brubaker,
31 J. P. Lichty,
32 Dan. Shaeffer,
33 David Laran,
34 Christ. Bartram,
35 J. Cosebeer,
36 Jacob Cline,
37 Josiah Young,
38 Philip Walker,
39 Jo. Barkley,
40 Phil. Beck,
41 Mose Friedline,
42 Arthur Stahl,
43 Saml. Lint,
44 Daniel Keefer,
45 Hen. Shaeffer,
46 John Shaeffer,
47 Dan. Hanntyecer,
48 Philip Ogline, jr.,
49 Jacob Lint,
50 S. J. Rhoades,
51 Geo. C. Lichty,
52 Har. Banone,
53 George Banone,
54 George Ogline,
55 Oliver Showman,
56 Wm. Whitford,
57 Fran. Heffley,
58 Wm. Lupe,
59 Ph. Mowry, sr.,
60 James Parson,
61 Wm. H. Posthlew,
62 John Bowan,
63 Daniel Lint,
64 David Tayman,
65 Heh. Walter,
66 Daniel Shaulis,
67 Joseph Barkley,
68 H. Shafer,
69 Jos. Shaffer,
70 John Stutzman,
71 George Knepper,
72 Con. Stoy,
73 Sam. Walker,
74 Jacob Maust,
75 Joseph Brunner,
76 John Countryman,
77 P. Shaver,
78 John Swank,
79 Jacob Chrissie,
80 Jonas Shaulis,
81 P. L. Berkley,
82 Amos Adams,
83 John P. Rhoades,
84 John D. Rhoddy,
85 John Darr,
86 Henry Kistner,
87 Joseph Weyand,
88 Daniel Stoman,
89 F. A. Rhoades,
90 Hen. Young, sr.,
91 Chr. Eonert,
92 Joseph Baker,
93 John A. Rhoades,
94 Jacob Zarefoss,
95 A. Gardner,
96 Peter Peisel,
97 John Ewert, sr.,
98 Wm. G. Zimmerman,
99 Isaac Barrow,
100 M. Good,
101 Geo. Stahl,
102 Dan. A. Rhoades,
103 Jacob Menser,
104 Joseph Pritts,
105 Daniel Kimmel,
106 Levi Shaffer,
107 David Ogline,
108 Nic. Berkley,
109 Moses Young,
110 Joke Zufall,
111 John Hay,
112 Charles Menser,
113 David J. Ankery, of J.
114 Israel Henry, sr.,
115 Auchen Gort,
116 John Stahl,
117 Henry Long,
118 John Schrock,
119 Jeremiah Snyder,
120 Abram Miller,
121 Abr. Berkley,
122 Elias Berford,
123 Chan. Marteeny,
124 Gel. Flick,
125 Solomon Snyder,
126 Josiah Moy,
127 Jacob Clem, sr.,
128 Jacob Peck,
129 John Cline,
130 Jacob Deeds,
131 David Casebeer,
132 Geo. Stern,
133 Rhu Woy,
134 Daniel Dickey,
135 Wm. Shaulis,
136 Mich. Sipe,
137 Ab. Baker.
138 J. P. Myers,
139 Wm. Kimmel,
140 Isaac Metzler,
141 Da. Ankeny,
142 Adar Unnder,
143 Jo. Smith,
144 Pe. Sipe,
145 E. J. Barkley,
146 A. D. Roman, jr.,
147 Jacob Shaulis,
148 Henry Shalis,
149 John W. Lape,
150 Jacob Smith,
151 W. C. Will,
152 Abra. Lichty,
153 H. C. Broubaker,
154 Chr. Miller, on age,
155 George Bittner,
156 Samuel Metzler, jr.,
157 Job Friedlene,
158 Henry Hartgey,
159 Alex. Roontz,
160 Wm. Trent,
161 Wm. D. Lichty, on age,
162 Alex. Countryman,
163 David Lichty,
164 Malon Miller,
165 David Miller,
166 M. Yinkey,
167 Lewis Bowser,
168 Solomon Boucher,
169 Joseph Hemminger,
170 Sm. J. Weller,
171 George Reitz,
172 Henry Landis,
173 James Trent,
174 Samuel Snyder,
175 T. Swank,
176 Dan. Moustoler,
177 Wm. Mostoler,
178 Henry Smith,
179 Frank Launtz,
180 D. J. Barnt,
181 Jonath. Boytz,
182 Dan. J. Rhoades,
183 John Trent,
184 Ep. D. Snyder,
185 H. H. Casebeer,
186 D. H. Young,
187 Conrad Goweter,
188 Dery Claycomb,
189 Jefferson Will,
190 Emanuel Pile,
191 Jos. W. Daniels,
192 John Kimmell,
193 Peter Griffith,
194 Peter Gonder,
195 Jacob Geigler.

196 Jacob Weller,
197 John Baker,
198 Jacob Lape,
199 Jonathan Snyder,
200 Wm. Good,
201 Abr. Landis,
202 John Queer,
203 A. Ash,
204 Joseph Weimer,
205 Ppe. Weimer,
206 John Gertez,
207 Jan. J. Coleman,
208 Joseph Wilt,
209 Jacob Miller,
210 Eli Bowman,
211 David Brubaker,
212 George Saylor,
213 Jonathan Rhoades,
214 Samuel Berkey,
215 John Shawlis,
216 Horton Benford,
217 Jonathan Lape,
218 Cornel Bowman,
219 Elias Bittner,
220 Beederck Schaulis,
221 Solomon Berkey,
222 Jonathan Miller,
223 Me. Shaulis,
224 Geo. Swank,
225 Henry Swank,
226 Henry Ash,
227 Jacob Zimmerman,
228 Wm. Braum,
229 Chr. Shaver,
230 John Brown,
231 John Cobaugh,
232 Samuel Faith,
233 Solomon Baker,
234 Aaron Heiple,
235 Samuel Smith,
236 Joseph Homer,
237 Sam Hay,
238 John Bittner,
239 George A. Kimmel,
240 Andrew Hay,
241 John Enos,
242 M. Beam,
243 Charles Will,
244 Isaac Wendle,
245 Abram Beam, sr.,
246 Levi Schaulis,
247 George Kring,
248 Josiah Ankeny,
249 Edward Berkey,
250 Hiram Beam,
251 Henry Mason,
252 Samuel Will,
253 Jacob D. Miller,
254 Alex. Will,
255 John H. Cantner,
256 H. B. Coleman,
257 N. Swank,
258 Chr. Streng,
259 J. H. Cantner,
260 Noah Roberts,
261 Peter Mathia,
262 D. Bowman,
263 Christ Wright,
264 Aaron Zufall,
265 Samuel Weller,
266 Ludlw. Weller,
267 Fred Lenhart, on age,
268 Geo. Bowman,
269 Charles Walker,
270 Frederick Weller,
271 C. C. Musselman,
272 Abram Beam, sr.,
273 Franklin Benrod, (or Bennet) on age,
274 Frederick Smith,
275 Alex. Hunter, jr.,
276 Chas. F. Rhoades,
277 Adam Ehrisman,
278 Daniel Snyder,
279 Solomon Lenhart,
280 Josiah Saylor,
281 Samuel Marshal,
282 John Berford,
283 Henry Fox,
284 Peeler Simpstine,
285 Levi Knepper,
286 Andrew Way,
287 Benjamin Masters,
288 Henry Geisel,
289 Philip Cupp,
290 Michael Moury,
291 Jacob Flick,
292 John Weyand,
293 Peter Pearl, (sol.)
294 Sam Haugher,
295 Isaac Baldwin,
296 James Pugh,
297 Uriah Trent,
298 Herbet Nichademus,
299 Jacob Cole,
300 Gabriel Walker,
301 Peter Shultz,
302 Pater Griffith,
303 Jacob Walter,
304 Benjamin Stulzmans,
305 John Cupp,
306 Jacob Cable,
307 John Shaffer,
308 Isaac Koontz,
309 Isaac Young,
310 Jacob Young,
311 George Shaffer,
312 Jonathan Bowman,
313 Lewis Weickle,
314 H. Sipe,
315 Dan Lichty,
316 George Zimmerman,
317 Daniel Spangy,
318 Daniel Fint,
319 George Rich,
320 Levi Lichty,
321 Daniel Coleman,
322 Michael Weyand,
323 Chr. Slickem,
324 Emanuel Shaulis,
325 Jose Gaurbans,
326 M. Baker,
327 Geo. Cobaugh.
328 Geo. Simpstine.
329 Jacob Showman.
330 Sam. Trent,
331 Jacob Whipkey,
332 George Reese,
333 Levi Walker,
334 Jacob Ziegler,
335 Henry Kenzer,
336 Jacob Coleman,
337 Edward W. Rhoades,
338 Abm. Bawne,
339 Eli Cupp,
340 Franklin Walter,
341 Joseph Baum,
342 George F. Baum,
343 Daniel Stahl,
344 Christ Lefler,
345 Jacob Faith,
346 Jeremiah J. Shaulis,
347 Abram McAdams,
348 Isaac D. Ankeny,
349 Henry L. Young,
350 August Swize,
351 Simon Young,
352 William Will,
353 Wm. F. Weller,
354 John F. Cantner,
355 Charles Will,
356 Jacob Lenhart,
357 Wm. Knepper,
358 Geo. Shostise,
359 Fred Schmucker,
360 John Saylor,
361 Josiah P. Walker,
362 Isaac Stern,

363 Alex. Shaffer,
364 George G. Hay,
365 Charles Hubbard,
366 Aaron Casebeer,
367 George P. Walker,
368 Jefferson Rhoades,
369 John Lape,
370 Henry Hensler,
371 Peter Young,
372 Absolem Casebeer,
373 Peter Barnhart,
374 Franklin Barnhart,
375 Henry Walker,
376 Jacob Friedline,
377 Christian Yonke,
378 Philip Weighley,
379 John Tomlinson,
380 Samuel Geiger,
381 Thomas Metzler,
382 Charles Miller,
383 Henry Metzler,
384 David Emmert,
385 Jacob Casebeer,
386 Jacob Mastery,
387 George G. Meese,
388 Silas Cable,
389 Jacob Koontz,
390 Seba Geisler,
391 John McAdams,
392 John McIntire,
393 Henry Keel,
394 Hugh Dennison.

Return of votes to the judges delegated from the different districts of the county of Somerset, to meet at the court-house in the borough of Somerset.

At an election held on Tuesday, 11th day of October, 1864, at the court-house in the township of Somerset, in the county of Somerset, on closing the poll and counting the votes, it appeared that for Congress, Wm. H. Koontz had votes, two hundred and forty-five, (245;) Alexander H. Coffroth had votes, one hundred and forty-eight, (148.)

In testimony, we, the inspectors and judge of the said district, have hereunto set our hands and seals the 11th day of October, A. D. 1864.

GABRIEL WALKER. [L. S.]
JOHN THOMPSON. [L. S.]
GEORGE D. MEESE. [L. S.]

Attest:
S. H. CABLE,
E. P. ADAMS,
Clerks.

STATE OF PENNSYLVANIA, *County of Somerset, ss:*

I, Cyrus Meyers, prothonotary of the said county, do hereby certify that the foregoing list of voters, and return of the election held for Somerset township, in said county, are correct copies of the original filed in my office, as far as the office of Congress is concerned.

Witness my hand and official seal, May 9, 1866.

[SEAL] C. MEYERS, *Prothonotary.*

No. 17.

STATE OF PENNSYLVANIA, *Somerset County, ss:*

I, Cyrus Meyers, prothonotary of the court of common pleas of said county, do hereby certify that at an election held in Greenville township on the 11th day of October, 1864, it appears, by the list of voters among the returns of said election, on file in my office, that Paul Huffman was the thirty-third (33d) voter at said election.

Witness my hand and official seal, 8th of May, A. D. 1866.

[SEAL.] C. MEYERS, *Prothonotary.*

No. 18.

Tally-paper of the clerks to the return judges for October election, 1864.

FOR CONGRESS.

No.	Districts.	William H. Koontz.	Alexander H. Coffroth.
1	Addison township	113	112
2	Allegheny township	31	113
3	Berlin borough	21	97
4	Brothers' Valley township	127	123
5	Conemaugh township	128	24
6	Elk Lick township	70	88
7	Greenville township	45	31
8	Jefferson township	78	47
9	Jenner township	199	49
10	Larimer township	31	38
11	Middle Creek township	59	28
12	Milford township	165	55
13	New Centreville borough	18	9
14	Northampton township	19	44
15	Paint township	101	27
16	Quemahoning township	109	51
17	Salisbury borough	20	26
18	Shade township	105	79
19	Somerset borough	95	72
20	Somerset township	245	148
21	Southampton township	60	27
22	Stoystown borough	16	22
23	Stony Creek township	202	60
24	Summit township	90	75
25	Turkeyfoot Upper township	108	40
26	Turkeyfoot Lower township	58	50
27	Wellersburgh borough	17	24
	Total home vote	2,330	1,559
	ARMY VOTE.		
1	Claryville, Maryland, hospital	2	.....
2	Seward Light Artillery barracks, Battery H, independent artillery	2	.....
3	Patterson Park U. S. A. general hospital, Baltimore, Md	1	.....
4	White Hall U. S. A. general hospital	1	.....
5	Columbian hospital, D. C	2	.....
6	Jarvis U. S. A. general hospital, Baltimore, Md	1	.....
7	3d division general hospital, Alexandria, Va	5	.....
8	McClellan U. S. A. general hospital	1	.....
9	Company M, 12th regiment Pennsylvania vol., Bolivar Heights	.....	.....
10	Seminary hospital, D. C	1	.....
11	Campbell hospital, D. C	1	.....
12	Camp Parole, Annapolis, (chapel)	1	.....
13	Sherburne barracks, Washington, D. C	1	.....
14	Company F, 198th regiment Pa. vol., near Petersburg, Va	6	.....
15	Mt. Pleasant hospital, D. C	3	.....
16	Baptist Church hospital, Alexandria, Va	2	.....
17	Company F, 142d regiment, camp in the field, army of Potomac	10	4

Tally paper—Continued.

FOR CONGRESS.

No.	Districts.	William H. Koontz.	Alexander H. Coffroth.
18	Company C, 142d regiment, camp in the field, army of Potomac	16	.....
19	Company I, 21st regiment Pa. vol., Point of Rocks	.....	2
20	Haddington U. S. hospital, Philadelphia	2	.....
21	Company L, 3d Pa. artillery, 150th regiment, Fort Monroe, Va	6	.....
22	Company B, 148th regiment, Fort Steadman, Va	2	1
23	Company G, 54th regiment, Cedar Creek, Va	16	3
24	Chester hospital	2	1
25	Company E, 49th regiment, near Winchester, Va	4	.....
26	Company H, 187th regiment Pa. vol., Camp Cadwalader	1	1
27	Company H, 211th regiment Pa. vol., camp, defences of the James	13	1
28	Company H, 54th regiment, Cedar Creek, Va	27	9
29	Company E, 54th regiment, Cedar Creek, Va	2	.....
30	Company D, 54th regiment, Cedar Creek, Va	6	.....
31	Company B, 55th regiment, near Petersburg, Va	.....	1
32	Sickles's Barracks hospital	1	.....
33	211th regiment, Bermuda Hundred, Va	2	.....
34	Company K, 5th Pa. volunteer artillery, Piedmont, Va	23	8
35	U. S. A. general hospital, York, Pa	3	.....
36	15th U. S. infantry, Lookout mountain, Ga	2	.....
37	16th regiment Pa. cavalry, Fort Stevenson, Va	.....	1
38	Cuyler U. S. hospital, Philadelphia	1	.....
39	Mower U. S. A. general hospital	5	.....
40	Summit House hospital U. S	1	.....
41	Rendezvous of distribution	4	1
42	U. S. A. general hospital, Philadelphia	1	.....
43	Lincoln general hospital	1	.....
44	Armory Square hospital	1	.....
	Total vote	2,512	1,592

SOMERSET, *October* 28, 1864.

We, the undersigned, clerks to the return judges of Somerset county, Pennsylvania, met at the town hall, in the court-house of Somerset borough, certify that the within is a true tally-paper of votes returned for October election, 1864.

E. K. HAINES,
ELIAS CUNNINGHAM,
Clerks.

Indorsements.

1864.—Tally-paper of the clerks to the board of return judges of an election held October 11, 1864. Filed October 28, 1864.

CYRUS MEYERS,
Prothonotary.

SOMERSET COUNTY, *ss:*

I certify that the foregoing is a true and correct copy of the original on file in the prothonotary's office, as far as the same relates to the office of representative in the Congress of the United States.

Witness my hand and the seal of the common pleas court, at Somerset, this [SEAL] 9th day of May, A. D. 1866.

CYRUS MEYERS,
Prothonotary.

No. 19.

Poll-book of the election held on the second Tuesday of October, one thousand eight hundred and sixty-four, by the qualified electors of Somerset county, State of Pennsylvania, in the actual military or naval service under the requisition of the President of the United States, and being unable to attend any company poll or other place of election; this election being at Armory Square hospital, in the District of Columbia, which place they the said electors, being present, have selected for opening a poll for the said election, and certify herein; Captain Franklin W. Wormbacker, Corporal George H. Burns, Private Wm. O. Hamilton, being then and there duly elected judges of said election, and Corporal Ross J. Creveling and Private George W. Sutton being duly appointed clerks of said election, and being all severally sworn or affirmed according to the certificates herewith returned.

Oaths and affirmations of the judges and clerks.

We, Captain F. W. Wormbacker and Corporal George W. Burns, Private William O. Hamilton, judges of this election, and Corporal Ross J. Creveling and Private George W. Sutton, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of said election, severally acting as above set forth according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

Captain F. W. WORMBACKER,
WM. O. HAMILTON,
Corporal GEORGE W. BURNS,
Judges.

GEO. W. SUTTON,
_____ _____,
Clerks.

I hereby certify that Captain George W. Burns and Private William O. Hamilton, judges, and Corporal Ross J. Creveling and Private George W. Sutton, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

Captain F. W. WORMBACKER,
Judge of Election.

I certify that Captain F. W. Wormbacker, judge aforesaid, was also sworn by me.

Witness my hand the date above written.

GEORGE W. SUTTON,
Clerk of Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid Armory Square hospital to be the place for opening a poll for the said election.

F. W. WORMBACKER,
WILLIAM O. HAMILTON,
GEORGE W. BURNS,
Judges of the said Election.

Number and names of the qualified electors of Somerset county, State of Pennsylvania, voting at said election.

No.	Names of electors.	Company and regiment.	Township, borough, ward or precinct.
1	Joseph D. Humbut	Private 191st regiment ..	Milford township.

It is hereby certified by us that the aforesaid list of electors voting at the said election is correct, and that the number of electors of Somerset county, State of Pennsylvania, voting at this election, amounts to one vote.

Witness our hands the day and year aforesaid.

Captain F. W. WORMBACKER,
WM. O. HAMILTON,
Corporal GEORGE W. BURNS,
Judges of the Election.

Attest:
GEO. W. SUTTON,
ROSS J. CREVELING,
Clerks.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Somerset county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had 1 vote.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

Witness our hands the day and year aforesaid.

GEO. W. SUTTON,
ROSS J. CREVELING,
Clerks.

Returns of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Somerset county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll or their proper place of election, at Armory Square hospital, District of Columbia, it being the place selected by the said electors for opening the poll for this election, there was cast one vote for representative in the House of Representatives of the United States; of which William H. Koontz had 1 vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

Captain F. W. WORMBACKER,
WM. O. HAMILTON,
Corporal GEORGE W. BURNES,
Judges of the said Election.

Attest:
GEO. W. SUTTON,
ROSS J. CREVELING,
Clerks.

Ticket.—Somerset county: For Congress, sixteenth district, William H. Koontz.

SOMERSET COUNTY, *ss:*

I hereby certify that the foregoing is a true and correct copy of the original filed in the prothonotary's office on 31st October, 1864

Witness my hand and the seal of the common pleas court, at Somerset, this 1st day of May, A. D. 1866.

[SEAL.]

CYRUS MEYERS, *Prothonotary.*

SIR: You will please take notice, that in the matter of the contested election in the sixteenth congressional district of Pennsylvania, in which Hon. A. H. Coffroth is sitting member and General William H. Koontz is contestant, that testimony on behalf of the sitting member will be taken before the commissioner, Samuel L. Russell, esq., at the court-house in the borough of Bedford, on Wednesday, the 25th day of April, A. D. 1866, at 10 o'clock a. m., and at such times and places thereafter as the commissioner may adjourn to, until the close of such taking.

JOHN P. REED,
E. F. KERR,
Attorneys for sitting member.

Hon. JOHN CESSNA.

Copy of the above notice served on Mr. Cessna April 20, 1866, by
E. F. KERR.

SIR: You will please take notice, that in the matter of the contested election in the sixteenth congressional district of Pennsylvania, in which Hon. A. H. Coffroth is sitting member and General William K. Koontz is contestant, that testimony on behalf of the sitting member will be taken before the commissioner, Samuel L. Russell, esq., at the court-house in the borough of Bedford, on Wednesday, the 25th day of April, A. D. 1866, at 10 o'clock a. m., and at such times and places thereafter as the commissioner may adjourn to, until the close of such taking.

JOHN P. REED,
E. F. KERR,
JOHN PALMER,
Attorneys for sitting member.

Hon. JOHN CESSNA.

Served at 6.50 p. m. Friday, 20th, 1866, and objected to for want of proper time. J. C.

SIR: This is to notify you that the following named persons have been summoned to appear before S. L. Russell, esq., commissioner to take testimony on behalf of Hon. Alexander H. Coffroth, in the matter of the contest in the six-

teenth congressional district of Pennsylvania for a seat in the thirty-ninth Congress of the United States, to give testimony on Monday, the 7th day of May instant, at ten o'clock a. m., to wit:

John Goguly, John W. Nycum, David Morris, Henry Stichler, Mathias Onstadt, John Mickle, Henry Miller, John Oldham, Peter A. Miller, Samuel Thompson, A. J. Reiley, George McDaniel, John C. Sparks, James T. Weaverling, Andrew S. Bunard, George Beegle, John W. Crisman, Armstrong Miller, Cyrus Fickees, Jennings Monk, John Bloom, James Harbaugh, David C. Ling, A. J. Crisman, William Easter, J. Lewis Saters, George Beckly, Nicholas Sees, John Ripple, Jacob Wans, Enos Corl, George Burkholder, John Griffith, Abraham Griffith, George Burkheimer, Jacob Russell, Thomas Blackbun, jr., William Reninger, Nicholas Oster, Christian Eversole, Frederick Berkheimer, Thomas V. Slick, Henry Mechtlein, Jerry Barrons, John Cardiff, O. E. Shannon, esq., with others to be called.

JNO. P. REED,
E. F. KERR,
Attorneys for Coffroth.

JOHN CESSNA, Esq.,
Attorney for William H. Koontz, Esq.

Served a copy of the above on John Cessna, esq., May 4, 1866.
E. F. KERR.

Depositions of witnesses taken at the court-house in the borough of Bedford, in the county of Bedford and State of Pennsylvania, before Samuel L. Russell, appointed commissioner for that purpose by the agreement of the parties, joint agreement hereto attached; said depositions to be read in evidence in the matter of the contest in the sixteenth congressional district of Pennsylvania for a seat in the thirty-ninth Congress of the United States, between Hon. A. H. Coffroth, the sitting member, and Hon. William H. Koontz, contestant; the notices of the taking of said depositions having been served upon Hon. John Cessna, counsel for contestant, joint notices hereto attached.

Ten o'clock a. m. of Wednesday, April 25, 1866. The commissioner met.

J. P. Reed, counsel for Hon. A. H. Coffroth, calls Laban Johnson, of Southampton township, Bedford county, Pennsylvania.

Mr. Cessna, counsel for Hon. William H. Koontz, asks Mr. Reed to state what he proposes to prove by the witness.

Mr. Reed states that he proposes to prove by the witness that there were soldiers at the polls at Southampton township on the 11th day of October, A. D. 1864, who deterred citizens of that township from voting who wished to vote for Mr. Coffroth for Congress, and that James A. Schade, who is returned as a soldier voting in the field from said township of Southampton, was never a citizen of said township.

To this offer Mr. Cessna objects, for the following reasons:

1st. That the matter offered to be proved is not specified in the answer of the sitting member, Mr. Coffroth; and

2d. That the witness is not competent to prove the facts contained in said offer; the best evidence would be that of the citizens themselves who were deterred from voting; and

3d. It is not proposed to show that the citizens deterred from voting were qualified voters of said township; and

4th. It is not proposed to show in what company or at what polls the soldier James A. Schade voted, or for whom he voted, or that he did not vote in Southampton township of either Somerset, Franklin, or Adams county.

Laban Johnson, being duly sworn, doth say that he is a resident and voter of Southampton township, Bedford county, Pennsylvania. I was at the election and voted on the 11th of October, A. D. 1864. I am tolerably well acquainted with most of the voters of that township. I never knew a man of the name of James A. Shade in that township. No man of that name went to the army from that township that I know of. There were soldiers at the polls from a few minutes after they were opened until after they were closed. They said they were there for the purpose of taking any conscript that came there to vote from the township. There was a right smart company of soldiers there, ten or a dozen. All the conscripts were deprived from voting except one man, who voted a few minutes before the soldiers came. The soldiers said that if they had got there a few minutes sooner he would not have got away from there. Gideon Smith, Aquilla Smith, David Smith, James Smith, James Collins were deprived of voting. James Hook—I saw him on the road; he didn't vote. Jesse Henser was a conscript; there, too. I didn't see Francis Donahoo that day. I saw Joseph Barnes on the road. Amos Perrin was in the band that was on the road to vote. These men were not permitted to come in the yard that day. I saw Joseph Moss on the road that day, and he was a conscript. The politics of these men were democratic, and those that I saw said they were going to vote for Coffroth.

Cross-examined by Mr. Cessna, under protest:

I was a clerk at the polls, and passed in and out of the election house that day. I knew there were conscripts, and they told me that they were drafted and hadn't gone; they were there. Gideon Smith didn't offer his vote, and didn't come in sight of the window that day; nor did Aquilla Smith, nor David Smith, nor James Smith, nor James Collins, nor James Hook, nor Jesse Henser, nor Francis Donahoo, nor Joseph Barnes, nor Amos Perrin, nor Joseph Morse, nor any other conscript except the one that voted. The soldiers did not arrest anybody at the polls that day. I don't know that there were men deprived of their votes except from what they told me after the election. They said that they saw the soldiers there, and knew that they would be taken up. They calculated that they would be taken up. The soldiers were at the polls all day.

LABAN JOHNSON.

Attest:
S. L. RUSSELL.

Isaac Jiams called.

Mr. Cessna makes the same objections to the evidence of this witness that he did to that of the above witness, Laban Johnson.

Isaac Jiams being duly sworn, doth say, that he is a citizen of Southampton township, Bedford county, Pennsylvania; that he was at the election in said township on the 11th day of October, A. D. 1864. The testimony given by Laban Johnson is substantially correct. I saw John Jiams. I talked to him. It was by the soldiers being there that he didn't vote. I saw Joshua Houser there. These men were democrats, and intended voting the democratic ticket.

Cross-examined by Mr. Cessna:

I did not see any of these conscripts offer to vote. There was a company of conscripts about two hundred yards from the window. They saw the window. I was with them. I don't know that they went any nearer to offer to vote.

They could see the soldiers, and they were afraid to go to vote. They had been told by different ones that if they went to vote, they would be picked up.

his
ISAAC × JIAMS.
mark

Attest:
S. L. RUSSELL, *Commissioner.*

At request of Mr. Coffroth's counsel, commissioner adjourned until two o'clock p. m.

Commissioner met at two o'clock p. m., and, there being no witnesses in attendance, adjourned until to-morrow morning, April 26, 1866, at ten o'clock a. m., at request of Mr. Coffroth's counsel.

S. L. RUSSELL, *Commissioner.*

APRIL 26, 1866—10 o'clock a. m.

Commissioner met at the court-house in Bedford borough, and there being no witnesses in attendance as stated by the counsel for the sitting member, the commissioner adjourned until two o'clock p. m. of to-morrow, April 27, 1866.

Mr. Cessna, attorney for the contestant, protests against the want of preparation on the part of the sitting member, and objects to this and any other continuances, unless rendered necessary by want of time to take the testimony of the witnesses present. He insists that the witnesses should be present and examined, or some proof furnished to show that witnesses were subpœnaed, and, in case of failure to attend, attachments should be awarded against them.

S. L. RUSSELL, *Commissioner.*

APRIL 27, 1866.

Commissioner met at two o'clock p. m.

Mr. Reed, counsel for Hon. A. H. Coffroth, calls Richard McMullin, by whom Mr. Reed states that he expects to prove by the witness that he, the witness, is a qualified voter of Napier township, Bedford county; that he did not vote at the election held in said township on the 11th October, 1864, for the reason that there were soldiers at the polls ready to arrest him; and that, if he had voted, he would have voted for A. H. Coffroth; and that there were others similarly situated.

To this evidence Mr. Cessna, for Wm. H. Koontz, objects for the following reasons:

1. Because the matter offered is not contained in the specification filed by the sitting member.
2. That the witness can testify only for himself and not for others.
3. Reserving all other legal objections.

Richard McMullin, sworn, declares and says, that he has been a legal voter of Napier township for many years; that he did not vote at the election of 11th October, 1864; that he did not vote because he had been drafted some time before the election, and did not report at the time he was bound to report; that he had sent his papers down by the deputy provost marshal, who thought that he could fix by me paying him a little. The soldiers arrested him on Saturday evening before the election. He studied about the matter a little, and saw a good opportunity to leave them, and he left them; that they were there at his house two or three times searching for him, and were there on the morning of the election; that, about the middle of the day of the election, he understood that there were soldiers at the polls, and that their business there was to arrest all deserters, and he did not on that account go to the polls; that he would

have gone to the polls if the soldiers had not been there; that if he had gone to the polls he would have voted for A. H. Coffroth; that he was told that there were soldiers at the polls by a man who had been there and voted; that he reported at Somerset on the next Friday, and was discharged; that he knew John Mansfield; that said Mansfield was with deponent on the day of the election avoiding the soldiers; that said Mansfield did not vote; he votes the democratic ticket.

Cross-examined by Mr. Cessna under protest:

That he made his escape from the soldiers a little after dark; that he lives four miles from the polls; that on the day of the election he was six or seven miles from the polls, and was not at home on that day; that he did not go to the polls to offer his vote; that he did not go nearer to the polls on that day than six miles because he was afraid that he would be arrested; and the reason that he was afraid was, that he had been told that there were going to be soldiers there; that John Mansfield did not go to any election on that day.

RICHARD McMULLEN.

Attest:

S. L. RUSSELL, *Commissioner.*

Mr. Reed calls A. J. Reighard. Mr. Cessna makes the same objections to him that he did to Laban Johnson and Richard McMullin.

A. J. Reighard, being duly sworn, doth depose and say, that he is a legal voter of Bedford township; that he did not vote at the election of the 11th October, 1864; that he didn't vote because he was afraid to come in; that he was afraid to come in because he heard that there were soldiers here; that he always did come to vote; that if he had come he would have voted the democratic ticket; that he knows Henry Claar.

Cross-examined by Mr. Cessna under protest:

That he was eight or ten miles from the polls on the election day; that he was not in Bedford township on the day of the election; that the citizens of Bedford township vote at the court-house in Bedford borough; that he didn't come any nearer than eight or ten miles to the election-house on that day; that he don't know that there were any soldiers in Bedford on that day except from hearsay; that he was afraid of the soldiers on that day because he had been drafted; that he had been drafted on the 21st day of September, 1864; that his day to report was the 1st of October, and the election was the 10th or 11th of October; that he didn't report, and that was the reason that he was afraid.

By Mr. Reed:

I desired to vote.

A. J. REIGHARD.

Attest:

S. L. RUSSELL, *Commissioner.*

Mr. Reed calls John Groman. Mr. Cessna makes the same objections as in the last above case.

John Groman, being duly sworn, deposes and says, that he thought that he was a legal voter prior to and since the election of 11th October, 1864; that he is sure that he was a legal voter on the 11th October, 1864; that he did not vote at that election; that he was a drafted man, and was afraid of the soldiers, and that was the reason he didn't vote; that it was his desire to vote, and intended to have voted for A. H. Coffroth.

Cross-examined by Mr. Cessna under protest:

That he was not in Bedford on the election day; was about nine miles from the polls; didn't come any nearer than that, and didn't offer to vote; that he

was drafted in September; was to report on 1st October; didn't report, and that was the reason that he was afraid to come here to vote; was informed that there were soldiers here; didn't know except from that information.

JOHN GROMAN.

Attest:
S. L. RUSSELL.

Mr. Reed calls Adam H. Earnest. Mr. Cessna makes the same objection as in the former cases.

Adam H. Earnest, being duly sworn, doth depose and say that he is a resident of Bedford township, and a voter for years; that he did not vote at the election of the 11th October, 1864; that he did not vote because he was afraid to come in on account of the soldiers; that he wished to come in and vote; that he would have come in, he guesses, if there had been no soldiers here; that if he had come in and voted, he would have voted the democratic ticket.

Cross-examined by Mr. Cessna, under protest:

That he was about ten miles from the polls on the election day; didn't come nearer that day; didn't come to offer to vote; that the only way he knows that there were soldiers here was by hearsay; that he was drafted in June, 1864; was to report in June or July; didn't report, and that is the reason why he didn't come to vote.

ADAM H. ERNST.

Attest:
S. L. RUSSELL.

Mr. Reed calls John Strohmenger. Mr. Cessna makes the same objection as in former cases.

John Strohmenger, being sworn, deposes and says that he is a citizen of Bedford township, and a voter for years; that he voted on the 11th of October, 1864.

JOHN STROHMENGER.

Attest:
S. L. RUSSELL, *Commissioner.*

Mr. Reed calls William Thompson. Mr. Cessna makes the same objection as in former cases.

William Thompson, being sworn, deposes and says that he is a resident and voter of Bedford township; that he has a brother, James Thompson, who in 1864 was a legal voter; that he, James, deponent guesses, must now be in Indiana; that he, James, was out about Mr. Hemming's; that he would have liked to come in and voted, but he was afraid of the soldiers, (to this Mr. Cessna emphatically objects, as being but hearsay;) that he, James, told me he would have voted the democratic ticket.

Cross-examined by Mr. Cessna, under protest:

That James was drafted and didn't report, and didn't come in to the election.

his
WILLIAM × THOMPSON.
mark.

Attest:
S. L. RUSSELL, *Commissioner.*

Mr. Reed calls Daniel Hetzel to prove that there were soldiers in Bedford and at the polls, and other matters. Mr. Cessna makes the same objection as in former cases.

Daniel Hetzel, being duly sworn, doth depose and say that he has voted in Bedford township since the last time General Jackson was elected President,

and that he is well acquainted with the greater part of the citizens of said township; that there was no man of the name of David C. Long in the army from said township in 1864; no such man is a resident of said township. John Yarnell is no citizen of said township. George Long is not a resident of said township. James McCreary is not a resident of said township. S. C. Mullin is not, to my knowledge, a resident of said township. Frederick Hillegas is no resident of Bedford township. I know James A. Croyle; he is not of age yet, so his mother says; he has never voted; says he has no vote. There is no such a resident of the township as George W. Gladwell. That he, deponent, was at the election on the 11th of October, 1864; that there were soldiers in town and about the court-house back and forward all day; that he didn't hear any soldier say anything about arresting anybody on that day; that he heard Jacob Crouse say that if any deserters or persons who were drafted and didn't report, that he, Crouse, had authority to arrest them; that Crouse was deputy provost marshal, and carried a revolver on the day of the election; that Crouse stood the greater part of the day on the platform at the township window; that Crouse did not live in the township, and voted in the borough. There were several soldiers back and forward with Crouse all that day.

Cross-examined by Mr. Cessna, under protest:

That he does not know where David C. Long resided in 1864. There is an extensive family of the Longs in Hopewell and Woodbury townships. I know a John Yarnell, son of Isaac, in St. Clair township. James McCreary was a citizen of Napier, near the Bedford township line. There are Mullins in Bedford township, but that he does not know any of the name of S. C.; that he knows a Frederick Hillegas in Juniata township, and it is a common name in Napier and Juniata. Croyle is a common name in Bedford, Union, and St. Clair townships; that he did not hear a soldier or anybody else say anything about arresting any one but Jacob Crouse; that nobody was arrested by the soldiers in Bedford on that day, nor by any one else; that the soldiers did not molest anybody on that day, to my knowledge; that there were soldiers stationed and located near Bedford and in Bedford at the time of the election, and for some time before and some time afterwards; that they were the only soldiers he saw on the day of the election.

DANIEL HETZEL.

Attest:

S. L. RUSSELL, *Commissioner.*

At request of Mr. Coffroth's counsel, commissioner adjourned until 10 o'clock a. m. of Monday, the 7th day of May, A. D. 1866.

S. L. RUSSELL, *Commissioner.*

May 7, A. D. 1866, 10 o'clock a. m. Commissioner met.

Mr. Reed, counsel for A. H. Coffroth, calls Peter A. Miller.

Mr. Cessna, for W. H. Koontz, protests against the examination of witnesses to-day, for the reason that notice of the time and place was given. The commissioner could continue from day to day, but could not adjourn for a period of ten days; this objection to apply generally to all the witnesses, together with all special and proper objections for want of specification, &c.

Peter A. Miller, sworn, doth depose and say that he is a citizen of Napier township, and has been for five years. I was in Napier township on the 11th day of October, A. D. 1864. I would have been at the polls if I had not been afraid that I would be taken by the soldiers that were there. I was threatened to be taken, because they were after me to take me. I would have been apt to have voted for Coffroth if I had gone, most assuredly. I am a democrat in politics. I was informed that there were soldiers there.

Cross-examined by Mr. Cessna:

On the day of the election I was across between the top of the mountain and the foot of the mountain. It was about six miles from the election. I didn't go any nearer than that to the polls that day. I didn't offer my vote to the officers of the election, because I was afraid to go there. I was afraid of being taken. I was a conscript and hadn't reported, and I was afraid that they would take me for that; was drafted in 1863, on the 25th of August, and had managed to escape the officers all that time. They had been trying to take me for some time before the election. I didn't see any soldiers at the election that day. I only know that there were soldiers there from hearsay only. I do not know that the soldiers on that day arrested anybody, or offered to arrest anybody, or disturbed anybody.

PETER A. MILLER.

Attest:

S. L. RUSSELL, *Commissioner.*

Mr. Reed calls Henry Stichler, who, having been sworn, doth depose and say that he is a citizen of Napier, and has been a voter there for fourteen years, as near as I can recollect. I was in the township on 11th October, 1864. I did not vote at that election. I desired to vote. I was afraid that the fellows with the blue clothes on, the soldiers, would arrest me, and that was the reason I didn't vote. If I had voted I would have voted for Coffroth. Henry Miller was then in the same situation, and would have voted the same scale.

Cross-examined by Mr. Cessna:

I was around at home on the day of the election; about my father's house, shoemaking, a little sneakingly. I was not at the election; was five miles off, and didn't go any nearer; didn't offer my vote to the officers of the election. I didn't go to the election for fear of being taken. I was drafted and did not report; I was drafted in June, and was trying to keep out of the way; that was my game. The soldiers caught me at last; treated me first-rate. I knew that there were soldiers at the polls from hearsay only. I cannot say that the soldiers arrested, or offered to arrest, or disturbed anybody that day. I know nothing about Henry Miller, except what he told me. I cannot tell where he was that day; he was not with me.

HENRY STICHLER.

Attest:

S. L. RUSSELL, *Commissioner.*

Mr. Reed calls John Oldham, who, having been duly affirmed, doth depose and say: I am a citizen and voter of Napier township ever since I had a vote; was in the township on the 11th October, 1864; didn't vote. I was drafted and had not reported, and was afraid that the soldiers would take me, and therefore I did not vote; they had been after me on the Sunday previous, but they did not get me. If I had voted, I would have voted for Coffroth; I have always voted the democratic ticket, and always will. I knew that Henry Miller was similarly situated; he told me so, and that he was chased back by the soldiers when he went to vote.

(Mr. Cessna objects to the declarations of Miller.)

Cross-examined by Mr. Cessna:

I saw Henry Miller the night of the election; hadn't seen him before on that day; we had a little tent where we laid together; to tell the plain truth, it was about a quarter of a mile from my house, in the woods. Henry Miller was a drafted man before I was. I was drafted in the June draft, about the 2d of June. I was about six miles away from the polls on election day; saw no

soldiers there; only knew about soldiers being there by hearsay. I had not reported after being drafted. I knew that, according to military law, I was a deserter. I was afraid, because I was drafted and hadn't reported. If Jeff. Davis should get upon the democratic ticket I would vote for him.

Re-cross-examined: If Thaddeus Stevens should get upon the democratic ticket I would vote for him. Miller is not in Bedford county.

his
JOHN × OLDHAM.
mark.

Attest:

S. L. RUSSELL, *Commissioner.*

Matthias Onstadtt, being duly sworn, doth depose and say: I am a citizen and voter of Napier township, and voted at the election of October 11, 1864. There were soldiers at the polls, armed; they were there some of them all day; they didn't say much; they asked for drafted men at the polls. I saw Henry Miller in the evening and coaxed him to go down to vote.

Cross-examined by Mr. Cessna:

They vote in Schellsburg; that is a borough, a separate election district Schellsburg borough polls about seventy votes. I live about seven miles from Schellsburg; went in in the morning. I saw Miller between four and five miles away from the polls in the evening. The soldiers came there after I got there; there were about 10 or 12 of them; they didn't shoot anybody or have any fights; didn't disturb or arrest any one that day.

MATTHIAS ONSTADTT.

Attest:

S. L. RUSSELL, *Commissioner.*

Mr. Reed calls A. J. Crisman, who, having been duly sworn, doth say: I am a citizen and voter of St. Clair township for 12 or 14 years; I am pretty well acquainted with the voters of the township. To the best of my knowledge I don't think that David Stennbagh belongs to our township; I think that he belongs to Union township. I think that John G. Feather does not belong to St. Clair, but I think he belongs to Union township. I did not vote on 11th October, 1864; I didn't vote because I was drafted and hadn't reported and was afraid of the soldiers; I was near the polls ready to vote; if I had voted I would have voted for Coffroth. There were soldiers at the polls to take up deserters. William Easter was there with me the whole day, from 8 o'clock till dark; he wanted to vote. George Buckley was with me; Nicholas Seiss was there; Jerry Barens was with me all day; John Cardiff was with us; John Allison and William Adams were with me. There were fourteen of us in the crowd, all voters; of course they were all democrats and wanted to vote the democratic ticket; we started down to the polls and were within a 100 yards of the polls, going down to vote; we saw the soldiers without their guns; we saw them go off the election ground, back on to Trent's porch, where they had their arms stacked; they got their guns and were coming towards us, and we were coming towards them; some of our men of the democratic leaders came to us and told us that we had better go away; some of us or some of the soldiers would be killed. At that time the soldiers were within 60, 70, maybe 80 yards of us; we went off; they halted us, but we didn't halt; we went on; there were three shots discharged. We didn't get to vote. There was a man killed that night, I heard.

Cross-examined by Mr. Cessna:

I didn't see the man killed; I saw him lying a corpse; I didn't go to the funeral; the same cause that kept me from the polls kept me from the funeral; I was afraid of being arrested. I was drafted September 21, or that was the day I was to report; was drafted before. There were fourteen of us together

that day, 160 or 200 yards away; sometimes in the woods, and sometimes in the field. There were, I think, six soldiers and a sergeant. I didn't hear a word of harm out of the soldiers that day. I heard them about 3 o'clock call "halt."

A. J. CRISMAN.

Attest:

S. L. RUSSELL, *Commissioner.*

Adjourned till 1 o'clock p. m.

At 1 o'clock p. m., commission met.

Mr. Reed calls George Beegle, who, having been duly sworn, doth depose and say: I am a citizen and voter of Union township, Bedford county, for 18 years; was the collector of taxes for 1863 and 1864. Job Bouser had his family in Union township with his brother in 1864. When he enlisted he brought his family there and went off to the army. He never paid any taxes to me. John J. Bouser lived in Union township. He never was in the army. There was no John J. Bouser from that township in the army. I know George G. Gordon; did not know that he was in the army until he told me to-day. He did not pay me any taxes for 1863 and 1864. I knew John Stineman; he was assessed and on the duplicate, but he would not pay. He was a republican; he is dead. John J. Bouser did not pay any taxes for 1863 or 1864. I know William Mock when I see him. His name is not on the duplicate; he paid no tax. He is a republican. I knew Abraham Amicks; he paid taxes in 1864. I think William Harbaugh voted on age. He paid no taxes; was in the army. He votes the republican ticket.

Cross-examined by Mr. Cessna:

I collected State and county tax for 1863 and 1864. I can't tell all the soldiers that went into the army from Union township; don't know how many of the young men voted on age. I was at the polls on election day; was not at any of the company polls; the law allows, I know, these soldiers to pay taxes to the treasurer of the county without calling on me; their friends at home were allowed to pay for them. I don't know who of the soldiers paid taxes for the men from Union township and who didn't. I only knew one John J. Bouser; there might have been another.

GEORGE BEEGLE.

Attest:

S. L. RUSSELL, *Commissioner.*

Mr. Reed calls George G. Gordon, who, having been duly sworn, doth say: I was in the army from Union township. I voted at Carlisle; can't tell the name of the camp. I voted for Koontz.

Cross-examined by Mr. Cessna:

I live in Union township; lived there when I enlisted; always lived there.

GEORGE G. GORDON.

Attest:

S. L. RUSSELL, *Commissioner.*

Mr. Reed calls Henry Cule, who, having been duly sworn, doth say: I had a son named James Cule in the army; he is dead; died at Thatcher's run; I don't know where he voted, or whether he voted at all. My son was born on the 14th of June, 1844.

Cross-examined by Mr. Cessna:

There are a great many Cules from Union township. I voted for Coffroth at the election of October 11, 1864. My son was a democrat by his talk when

he went into the army; I don't know that he was ever at Lincoln hospital. I don't know any other James Cule of Union township.

his
HENRY × CULE.
mark.

Attest:
S. L. RUSSELL, *Commissioner.*

Mr. Reed calls Joseph W. Wyant, who, having been duly sworn, doth say: I was between twenty-one and twenty-two years of age when I voted at near Petersburg. I do not know any Joseph Wyant from Union township.

Cross-examined by Mr. Cessna:

My name is sometimes written Joseph and sometimes Joseph W. I was in company A, 84th Pennsylvania volunteers; was born in Union township, Bedford county, Pennsylvania, and entered the army from that place. I was in the military service in October, 1864, a qualified voter, and voted for William H. Koontz for Congress. I always write my name Joseph W. There is a Joseph Wyant in Blair county.

his
JOSEPH × W. WYANT.
mark.

Attest:
S. L. RUSSELL, *Commissioner.*

Mr. Reed calls Jason Harbaugh, who, having been duly sworn, doth say: I was past twenty-one years of age in October, 1864. I voted at Fort Bross, near Petersburg.

Cross-examined by Mr. Cessna:

I was a member of company A, 84th regiment Pennsylvania volunteers; born and raised in St. Clair township; entered the army from that place; was a qualified voter in October, 1864, and voted for William H. Koontz for Congress. If my name was returned James Harbaugh on the election rolls, it was a mistake; should have been Jason Harbaugh. No James Harbaugh was in the army from St. Clair.

JASON HARBAUGH.

Attest:
S. L. RUSSELL, *Commissioner.*

Mr. Reed calls John Gogueley, who, being duly sworn, doth say: I had a son in the army by the name of James H. Gogueley; he died in Philadelphia; he was not of age on the 11th of October, 1864; he voted, as he wrote to one of the girls that he voted, at one of the elections in the fall of 1864; I can't tell which election, whether October or November election. He was a republican when he went into the army, but I do not know how he voted, and he did not state in the letter how he voted. He was from Bloody Run borough, which is within the limits of West Providence township; no other James Gogueley there that I know of. There is no J. W. Hann in West Providence township that I know of.

Cross-examined by Mr. Cessna:

My son's birthday was the 28th of August, 1844; can't tell whether he voted for Congress in 1864 at all or not; Bloody Run is a separate election district; there are a number of men named Hann; I do not know how many, nor can I give the first names.

JOHN GOGUELEY.

Attest:
S. L. RUSSELL, *Commissioner.*

Mr. Reed calls Daniel S. May, who, having been duly sworn, doth say: I went to the army from Harrison township; I voted at the election of October 11, 1864; I was twenty-one years of age at that time—between twenty-one and twenty-two years; my birthday was the 19th of November, 1842.

Cross-examined by Mr. Cessna:

I was born and raised in Harrison township; entered the army from that township; was in company D, 55th regiment Pennsylvania volunteers; voted for Koontz for Congress at Fort Harrison, north side of James river, Chapin's farm, Virginia.

DANIEL S. MAY.

Attest:

S. L. RUSSELL, *Commissioner.*

Mr. Reed calls William Earnest, who, having been duly sworn, doth say: I entered the army from Harrison township, Bedford county, company F, 138th regiment Pennsylvania volunteers. I voted at the election on October 11, 1864; I did not vote for member of Congress; I was not of age; I did not vote for Congress for either Koontz or Coffroth; there was no one there out of my company; the polls were at Mower United States general hospital.

Cross-examined by Mr. Cessna:

My birthday is the 20th of October, 1843.

WILLIAM EARNEST.

Attest:

S. L. RUSSELL, *Commissioner.*

Mr. Reed calls George W. Burkholder, who, having been duly affirmed, doth say: I have been a citizen and voter of St. Clair township, Bedford county, for many years; I didn't vote on the 11th of October, 1864; I was drafted and didn't report and went away; took the western train at Johnstown seven days before the election.

G. W. BURKHOLDER.

Attest:

S. L. RUSSELL, *Commissioner.*

Mr. Reed calls Andrew S. Bussard, who, having been duly sworn, (the commissioner informs Mr. Bussard that he is not bound to answer any question that would commit himself. Mr. Reed offers to prove by the witness that he, the witness, voted at the election on the 11th of October, 1864, and that he was not of age on that day. To this evidence Mr. Cessna objects, upon the ground that the witness cannot be called upon to disqualify himself; the party alleging the disqualification must prove it by other evidence before they can ask the witness himself for whom he voted,) deposes and says: I am a citizen of West Providence township. (The witness declines to answer the questions as to whether he voted or what his age is.) I think that I was on the election ground that day.

ANDREW S. BUSSARD.

Attest:

S. L. RUSSELL, *Commissioner.*

Mr. Reed calls John C. Sparks, who, having been duly sworn, doth say: I went into the army from West Providence township. I was at Camp Carroll on the 11th October, 1864, the day of the election. (The witness declines to answer whether he voted, or whether he was of age at the time of the election.) There was a John Sparks at Camp Carroll. I do not know whether he had a

middle name or not. He was not from West Providence township. I think he was from Hopewell. I cannot tell his age.

JOHN C. SPARKS.

Attest:

S. L. RUSSELL, *Commissoner.*

Mr. Reed calls E. F. Kerr, esq., who, being duly sworn, doth say: I am a native of West Providence township. I know the citizens of that township pretty generally. I know George McDaniel, of West Providence township, who enlisted from that township. (Mr. Reed proposes to prove by the witness that McDaniel admitted to the witness that he voted at the election of October 11, 1864, and that he was not of age at that time; also, that John C. Sparks and Andrew S. Bussard made the same admissions. Mr. Cessna objects to this evidence upon the ground that the declarations of McDaniel, Sparks, and Bussard cannot be received to disqualify themselves; disqualification must be proved by other testimony; and when so established the admission of the person so disqualified can only be received for whom he voted; also, because Mr. Kerr, the witness, is now, and has been from the beginning of this controversy, one of the attorneys for General Coffroth, and any communications made to him by any of the three persons above named were made confidentially by them by reason of that relation.)

Witness proceeds: On the 4th of May instant I went to subpœna Mr. McDaniel as a witness. Before serving the subpœna on him I asked him where he voted in October, 1864. He told me that he had voted in the army. I do not remember the place. I asked him if he voted on age. He replied, they did not ask me any questions. I was not 21 till some time in the spring of 1865. I subpœnaed him; he has not been here to-day. He did not say how he voted, and I did not ask him. I know his politics; he is a republican.

I know John C. Sparks. He was in the army, from West Providence township, on the 11th October, 1864, as he informed me. He was at Camp Carroll headquarters, Maryland. I asked him how old he was at that time. He told me that he was not 21; that he was born some time in the year 1844. I subpœnaed him.

I know Andrew S. Bussard, of West Providence township; have known him for several years. I saw him at Ritchey's hotel, in Bloody Run, on last Saturday afternoon. I asked him if he had voted on the 11th October, 1864. He said that he did. I asked him how old he was. He told me that he was not 21 years of age at that time; said that he was too young to vote; that he was born in June, 1844. He told me he voted the republican ticket, and for Koontz.

There is no such resident of West Providence township as J. W. Hann as I ever knew. I know the Hanns of West Providence township that have lived there.

Cross-examined by Mr. Cessna:

I am one of the attorneys of Mr. Coffroth in this contested election case. I summoned some of the witnesses; examined all of the witnesses that I summoned before I summoned them, except Mr. Goguely. I asked Mr. Bussard in regard to his age to-day, here. George McDaniels told me that he had voted in October, 1864, but he did not tell me how he voted for Congress.

Mr. Cessna asks the witness: Have you any actual or personal knowledge of the ages of McDaniel, Sparks, and Bussard, or do you testify simply from their declarations to you?

The witness answers: I testify from their declarations to me, although I supposed them to be minors from the fact that I was raised in the same community with them, and knew them for a number of years—Bussard for eight or ten years, Sparks for six or eight years, and McDaniel for ten or twelve years. I have no record of the age in either case. I have no particular fact from which

I remember the birth-day of either of them. Bussard was not in the army—he voted at home. Sparks and McDaniel were said to be in the army. I didn't see them in the army.

I voted in Bedford borough in the spring of 1863. I also voted in Bedford borough in October, 1864, and since then I claim this as my residence.

E. F. KERR.

Attest:

S. L. RUSSELL, *Commissioner.*

Mr. Reed calls O. E. Shannon, esq., who having been duly sworn, doth say: I am the prothonotary of the court of common pleas of Bedford county. (Mr. Cessna objects to this testimony because it is not embraced in the specification.) The election returns from the army were made to me in 1864.

Paper marked "A" hereto attached is a true copy of poll-book from McClellan United States general hospital.

Paper marked "B" hereto attached is a true copy of poll-book containing the companies of D, E and F, of the 138th regiment Pennsylvania volunteers, held at camp near Front Royal, Warren county, Virginia.

From No. 44 to 53 inclusive of the military returns to me, as shown on my certificate to the return judges, the names of neither the judges of election nor clerks appear.

From No. 44 to 53 inclusive, are certified copies of the returns sent to me by the secretary of the commonwealth at Harrisburg. Each certificate to each return is in these words, viz:

"PENNSYLVANIA, *ss:*

"I do hereby certify that the foregoing is a correct copy of said election return so far as the same relates to the county of Bedford.

"In witness whereof, I have hereunto set my hand and caused the seal of said office to be affixed, this twenty-sixth day of October, A. D. one thousand eight hundred and sixty-four.

[SEAL.]

"W. H. ARMSTRONG,

"*Deputy Secretary of the Commonwealth.*"

Mr. Cessna objects to this evidence, first, because certified copies, and not parol testimony of these papers, can be received; second, because the papers only purport to be copies from the secretary of the commonwealth, and these only purport to give the contents of such paper relating to Bedford county. Certified copies of the originals from the secretary of the commonwealth would be the best evidence; third, because not embraced in the specification of special matter.

Mr. Shannon proceeds: I have been a citizen and a voter in Bedford county—the borough and township—since the fall of 1846. The paupers have generally voted—both political parties have tried to get their votes for years.

Cross-examined by Mr. Cessna:

There is a lone paper in my office, inside of No. 44, with the names of the judges and clerks attached to said paper. Congress—W. H. Koontz, three votes. It purports to be a certificate of the election held at Old Prince George's Court House, Virginia, and signed "Daniel L. Stoud," George W. Davis, George S. Morrett, judges, and Jacob Elcook and G. W. Krafft, clerks of election. [Tickets enclosed.] Both papers are inside of a wrapper directed to "prothonotary of Bedford county, Bedford county, Pennsylvania."

The votes above referred to are all counted by the return judges.

O. E. SHANNON.

Attest:

S. L. RUSSELL, *Commissioner.*

At the request of General Coffroth's counsel, the commissioner adjourned until 10 o'clock a. m. of to-morrow, April 8, 1866.

S. L. RUSSELL, *Commissioner.*

Ten o'clock a. m., April 8, 1866. The commissioner met.

Mr. Cessna recalls Mr. Shannon for further cross-examination:

Mr. Shannon proceeds: The paper to which I referred yesterday as having been received by me, and purporting to be a return of company C, 200th regiment, Pennsylvania volunteers, and giving three votes for Koontz and none for Coffroth, I have now copied and certified. I herewith present it to the commissioner, and it is hereto attached and marked C. It is in the office, with No. 44 of my tabular statement.

O. E. SHANNON.

Attest:
S. L. RUSSELL, *Commissioner.*

At this point Mr. Cessna gives notice to the counsel of the sitting member that he has, since hearing the testimony of Mr. Shannon, sent to the secretary of the commonwealth at Harrisburg, Pennsylvania, for certified copies of the original papers mentioned by Mr. Shannon in his testimony, as being contained on his tabular statement, as Nos. 44, 45, 48, 49, 50, 52 and 53, and requested that said copies be immediately forwarded by the said secretary of the commonwealth, to the honorable Edward McPherson, Clerk of the House of Representatives, Washington, D. C.

There being no witnesses in attendance on the part of the sitting member, the commissioner adjourns until 11½ o'clock of this a. m. of May 8, 1866, at the request of the counsel for the sitting member.

S. L. RUSSELL, *Commissioner.*

11.30 a. m., May 8, 1866. The commissioner met, and there being no witnesses in attendance, he adjourns *sine die*—no further adjournments being asked for.

S. L. RUSSELL, *Commissioner.*

I certify that the foregoing depositions were taken before me as above stated.

In witness whereof, I have hereunto set my hand and seal this ninth day of May, A. D. 1866.

[SEAL.]

S. L. RUSSELL, *Commissioner.*

No. 21.

A.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Bedford county, in the State of Pennsylvania, in the actual military service under the requisition of the President of the United States, and being unable to attend any other proper place of election, this election being held at McClellan United States army general hospital, which place the said electors, being present, have selected for opening a poll, and certify herein; William Cox, William H. Walling, and John M. Kepler being then and there duly elected judges of the said election, and Chas. A. Stine and A. T. Black

being duly appointed clerks of the same, and having been duly sworn or affirmed according to law.

JOHN M. KEPLER,
WILLIAM COX,
W. H. WALLING,
Judges.
CHAS. A. STINE,
A. T. BLACK,
Clerks.

Number and names of the electors voting at the said election who are residents of Bedford county, with their city, borough, township, ward, or precinct.

No.	Names of electors voting.	City, borough, ward, township, or precinct.
1	Alexander Eichelberger	Company H, 22d cavalry, Hopewell.
2	Jacob Chamberlain	Company H, 22d cavalry, East Providence.
3	John Gibson	Company B, 183d cavalry, West Providence.
4	Nelson B. Miller	Company D, 55th cavalry, Harrison.

Tally-paper or list of votes and returns for each person voted for at the said election by the qualified voters of Bedford county.

For representative in the House of Representatives in the Congress of the United States, Wm. H. Koontz had four votes.

For representatives in the house of representatives of Pennsylvania, David B. Armstrong had four votes; Moses A. Ross had four votes.

For commissioner, Abraham H. Hull had two votes.

For director of the poor, Asa S. Stuckey had two votes.

For auditor, Emanuel J. Diehl had two votes.

For president judge, Alexander King had two votes.

We hereby certify that the aforesaid tally-papers, list of voters, and return of the election, held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid, is a correct and true return thereof, there having been more than ten qualified voters of said State present at the election held as aforesaid.

JOHN M. KEPLER,
WILLIAM COX,
W. H. WALLING,
Judges of said Election.

Attest:
CHAS. A. STINE,
A. T. BLACK,
Clerks.

STATE OF PENNSYLVANIA, *County of Bedford, ss:*

I, O. E. Shannon, prothonotary of the court of common pleas in and for said county, hereby certify that the foregoing is a full and true copy of a paper purporting to be a poll-book returned to this office and on file.

[SEAL.] Witness my hand and official seal, at Bedford, this 5th day of May, anno Domini 1866.

O. E. SHANNON, *Prothonotary.*

No. 22.

B.

Poll-book of the election held on the second Tuesday of October, one thousand eight hundred and sixty-four, by the qualified electors of Bedford county State of Pennsylvania, in companies D, E, and F, of the 138th regiment of Pennsylvania volunteers, held at camp near Front Royal, Warren county, Virginia. Lewis A. May, Simon Dickerhoof, and Oliver Horton being duly elected as judges of said election, and Jonathan Snider and C. P. Calhoun being duly appointed clerks of said election, were severally sworn or affirmed as per certificates herewith returned.

No.	Names of voters.	Company.	County.	Borough or township.	Remarks.
1	John Geller	F	Bedford.	Juniata	
2	James Kellerman	F	Bedford.	Juniata	
3	Martin S. Bortz	F	Bedford.	Cumberland Valley.	
4	Frederick Wolford	F	Bedford.	Londonderry	
5	John W. Mauk	F	Bedford.	Cumberland Valley.	
6	Marcus May	F	Bedford.	Juniata	
7	Levi Cook	F	Bedford.	Londonderry	Voted on age.
8	Frederick G. Ritchey	F	Bedford.	Juniata	
9	Daniel M. Ball	F	Bedford.	Londonderry	
10	Daniel Walford	F	Bedford.	Londonderry	
11	Oliver Loury	F	Bedford.	Juniata	
12	Ephraim B. Miller	F	Bedford.	Harrison	
13	Abraham Miller	F	Bedford.	Cumberland Valley.	
14	Joseph Barclay	F	Bedford.	Juniata	
15	Christopher P. Calhoun	F	Bedford.	East Providence	
16	Jacob Stephens	E	Bedford.	Bedford borough	
17	John Valentine	F	Bedford.	Cumberland Valley.	
18	Henry Speck	E	Bedford.	Bedford township	
19	David Burket	E	Bedford.	Union	
20	Allen Cobler	E	Bedford.	Schellsburg borough.	
21	Nicholas Beaver	E	Bedford.	Napier	
22	Abraham Carpenter	E	Bedford.	Londonderry	
23	Bevin Meloy	E	Bedford.	Bedford township	
24	Harvey Shaffer	F	Bedford.	Colerain	
25	Isaac Ling	D	Bedford.	Union	
26	William S. Slick	D	Bedford.	St. Clair	
27	John Kennard	D	Bedford.	Monroe	
28	Frederick A. Sellas	D	Bedford.	Napier	
29	William Line	E	Bedford.	Bedford borough	
30	George W. Beals	D	Bedford.	Londonderry.	
31	Allen Kinton	D	Bedford.	Napier	
32	John A. Beltz	D	Bedford.	Napier	
33	David Snider	D	Bedford.	Monroe	
34	John Yarnell	D	Bedford.	Bedford township	Voted on age.
35	Emanuel O'Neal	D	Bedford.	Bedford borough	
36	Elias B. Stuckey	D	Bedford.	Middle Woodbury	
37	John E. O'Neal	D	Bedford.	Monroe	Voted on age.
38	William Corl	D	Bedford.	Union	
39	Solomon R. Thorp	D	Bedford.	Londonderry.	
40	Samuel Barclay	E	Bedford.	St. Clair	
41	James E. Over	E	Bedford.	St. Clair	
42	Emanuel Fisher	D	Bedford.	Napier	
43	Nathaniel Kegg	E	Bedford.	Colerain	
44	George W. Barclay	E	Bedford.	St. Clair	
45	James Crauford	E	Bedford.	Harrison	
46	John Tait	E	Bedford.	Harrison	
47	Thomas Shafer	F	Bedford.	Colerain	
48	Lewis A. May	Major	Bedford.	Cumberland Valley.	
49	Daniel Beard	E	Bedford.	Bedford borough	
50	Francis M. Slack	E	Bedford.	Bedford borough	
51	Jacob C. Clare	E	Bedford.	Union	

Poll-book—Continued.

No.	Names of voters.	Company.	County.	Borough or township.	Remarks.
52	Joseph Shroyer	F	Bedford.	Juniata	Voted on age.
53	Samuel Ridenbaugh	E	Bedford.	St. Clair	
54	James Saupp	E	Bedford.	Bedford township	Voted on age.
55	George Long	E	Bedford.	Bedford township	
56	Jonathan Snider	D	Bedford.	Monroe	
57	Oliver Horton	D	Bedford.	Monroe	
58	Simon Dickerhoof	E	Bedford.	Bedford borough	
59	Joseph Cobler	F	Bedford.	Cumberland Valley.	
60	Henry H. King	E	Bedford.	St. Clair	
61	James W. Bivens	D	Bedford.	Monroe	

It is hereby certified that the number of electors for Bedford county, Pennsylvania, voting at this election, amounts to sixty-one.

LEWIS A. MAY,
SIMON DICKERHOOF,
OLIVER HORTON,
Judges of Election.

Attest:
C. P. CALHOUN,
JONATHAN SNIDER,
Clerks.

Number of votes for candidates.

For Congress, A. H. Coffroth had twenty-nine votes; William H. Koontz had thirty-two votes.

For assembly, Hiram Findlay had twenty-nine votes; B. F. Meyers had twelve votes; D. B. Armstrong had thirty-three votes.

For commissioner, Michael Wertz had twenty-nine votes; Abraham H. Hull had thirty-two votes.

For poor director, Hiram Davis had twenty-six votes; Asa Stuckey had thirty-one votes.

For auditor, David Evans had twenty-eight votes; Emanuel J. Diehl had thirty-three votes.

For president judge, F. M. Kimmell had twenty-nine votes; Alexander King had thirty votes.

We, Lewis A. May, Simon Dickerhoof, and Oliver Horton, judges of this election, and Jonathan Snider and C. P. Calhoun, clerks thereof, each severally swear that we will duly perform the duty of judges and clerks of said election, severally acting as above set forth, according to law and to the best of our abilities, and that we will sedulously endeavor to prevent fraud, deceit, or abuse in conducting the same.

LEWIS A. MAY,
SIMON DICKERHOOF,
OLIVER HORTON,
Judges.
JONATHAN SNIDER,
C. P. CALHOUN,
Clerks.

I hereby certify, that Simon Dickerhoof, Oliver Horton, judges, and Jonathan Snider, C. P. Calhoun, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid. Witness my hand this 11th day of October, A. D. one thousand eight hundred and sixty-four.

LEWIS A. MAY,
Judge of Election.

I certify that Lewis A. May, judge aforesaid, was also sworn by me. Witness my hand the day before written.

JONATHAN SNIDER,
Clerk of Election.

At an election held by the electors of companies D, E, and F, of the one hundred and thirty-eighth regiment of Pennsylvania soldiers, at camp, near Front Royal, Warren county, Virginia, there were cast—

For the office of Congress, sixty-one votes; of which A. H. Coffroth had twenty-nine votes; William H. Koontz had thirty-two votes.

For assembly, seventy-four votes were cast; of which Hiram Findlay had twenty-nine votes; B. F. Meyers had twelve votes; D. B. Armstrong had thirty-three votes.

For commissioner, sixty-one votes were cast; of which Michael Wertz had twenty-nine votes; Abraham H. Hull had thirty-two votes.

For poor director, fifty seven votes were cast; of which Hiram Davis had twenty-six votes; Asa Stuckey had thirty-one votes.

For auditor, sixty-one votes were cast; of which David Evans had twenty-eight votes; Emanuel J. Diehl had thirty-three votes.

For president judge, fifty-nine votes were cast; of which F. M. Kimmel had twenty-nine votes; Alexander King had thirty votes.

A true return of the election held as aforesaid on the 11th day of October, anno Domini one thousand eight hundred and sixty-four.

LEWIS A. MAY,
Major 138th regiment Pennsylvania Vols.,
SIMON DICKERHOOF,
Captain company E, 138th Reg't Penn'a Vols.,
OLIVER HORTON,
2d Lieut. company D, 138th Reg't Penn'a Vols.,
Judges of Election.

Attest:
JONATHAN SNIDER,
C. P. CALHOUN,
Clerks.

PENNSYLVANIA, *Bedford county, ss:*

I, O. E. Shannon, prothonotary of said county, certify that the foregoing is a full and true copy of a paper purporting to be a poll-book returned to this office and on file.

[SEAL.] Witness my hand and official seal, at Bedford, the 5th day of May, A. D. 1866.

O. E. SHANNON,
Prothonotary.

No. 23.

C.

BEDFORD COUNTY, *ss:*

To the prothonotary of said county:

For Congress, William H. Koontz had three votes.

For assembly, David B. Armstrong had three votes; Moses A. Ross had three votes.

For president judge, Alexander King had three votes.

For county commissioner, Abraham H. Hull had three votes.

For director of the poor, Asa S. Stuckey had three votes.
For auditor, Emanuel J. Diehl had three votes.

It is hereby certified by us that the above list is a correct return of the election held at Old Prince George's Court House, Virginia, on the eleventh day of October, A. D. 1864, for the aforesaid county.

Witness our hands the day and date mentioned.

DANIEL L. STOUD,
GEORGE W. DAVIS,
GEORGE S. MORRETT,
Judges of Election.

Attest:
JACOB R. ELCOOK,
J. W. KRAFFT,
Clerks of Election.

Enclosed you will find the tickets each election cast.

Indorsed: Vote of Bedford county, company C, 200th regiment Pennsylvania volunteers.

PENNSYLVANIA, *Bedford County, ss:*

I, O. E. Shannon, prothonotary of said county, certify that the foregoing is a full and true copy of a paper in my office, inside of and accompanying, but detached, a certified copy of election returns from the secretary of the commonwealth, and which certified return is numbered 44 on my certificate to the return judges.

Witness my hand and official seal, at Bedford, the 8th day of May, A. D. 1866.
[SEAL.]

O. E. SHANNON,
Prothonotary.

No. 24.

WILLIAM H. KOONTZ
vs.
ALEXANDER H. COFFROTH.

In the matter of the contested election case from the sixteenth congressional district of Pennsylvania, composed of the counties of Somerset, Bedford, Fulton, Franklin, and Adams, pending before the thirty-ninth Congress of the United States.

SIR: Please take notice that the depositions of Jacob A. Kitzmiller, esq., and other witnesses, to be read in evidence on the part of Hon. Alexander H. Coffroth, in the hearing of the above case, before the Committee of Elections of the thirty-ninth Congress, will be taken before Robert G. McCreary, esq., or some other person duly qualified by the laws of the United States to take testimony in such case at Gettysburg, on Monday, the seventh day of May, A. D. 1866, between the hours of 8 o'clock a. m. and 8 o'clock p. m. of said day, and to continue from day to day until the testimony of said witnesses may be taken, when and where you may attend if you see proper.

WM. McCLEAN,
Attorney for A. H. Coffroth.

D. A. BUEHLER, Esq.,
Attorney for W. H. Koontz, Esq.

APRIL 30, 1866.

Names of witnesses.

Jacob A. Kitzmiller, esq., Alfred Slonaker, Jacob Bushey, esq., Cornelius Dougherty, Henry G. Wolf, esq., Jonas Johns, Jacob Troxel, esq., John Culp, Jesse M. Walter, esq., Christian Spaidman, Oliver F. Plank, John Eckert, Daniel Plank, esq., John Armstrong, Walter J. Beamer, William Wilson, Jacob Beamer, Robert S. Paxton, John Guinn, Nicholas Weaver, John Barmuth, Thomas Nolan, Rev. Dr. H. L. Baylor, Rev. Dr. S. S. Schumaker, Prof. M. L. Stoever, Rev. Dr. James A. Brown, Jeremiah Culp, J. Jeff. Myers, George Chritzman, A. J. Cover, esq., Joel B. Danner, esq., Jacob Rhone, J. A. Reunding, P. H. Schaeffer, Joseph Griffith, T. C. Pritchard, W. H. Gotwald, W. C. Shoffer, J. C. Kolher, M. G. Boyer, Michael Colver, T. C. Billheimer, L. A. Swope, G. Grossman, S. S. Henry, James J. Fink, esq., Andrew J. Reiley, John A. Rockwell.

I hereby acknowledge and accept service of the foregoing notice.

D. A. BUEHLER,
Attorney for Wm. H. Koontz.

GETTYSBURG, PENN., *April* 30, 1866.

STATE OF PENNSYLVANIA, *County of Adams:*

Robert G. McCreary, being duly sworn, saith that he will perform his duties as commissioner, to take testimony in the matter of the contest for the seat in the 39th Congress of the United States, for the 16th district of Pennsylvania, with impartiality and according to the best of his ability.

R. G. McCREARY.

Sworn and subscribed May 7, 1866, before me.

J. A. KITZMILLER, *Prothonotary.*

Testimony taken before Robert G. McCreary, esq., commissioner, under and by virtue of the annexed agreement, to be used in argument of the contest for the seat in the thirty-ninth Congress of the United States for the sixteenth district of Pennsylvania, on the part of the sitting member, Hon. A. H. Coffroth.

May 7, 1866.—William McClean, esq., counsel for sitting member, appears, and David A. Buehler and David McConnaughy, esqs., appear as counsel for the contestant.

Rev. H. L. Baugher, D. D., sworn and examined by William McClean, esq., for sitting member:

I am sixty-one years of age. I reside in Gettysburg, Adams county, and am president of Pennsylvania College, and have been since 1850. In October, 1864, the following named persons were, to the best of my knowledge and belief, students in that institution: Jacob Rhone, J. A. Krumrine, Joseph Griffith, William H. Gottwaldt, J. C. Kohler, P. H. Schaeffer, S. S. Henry, M. G. Boyer, L. A. Swope, George Grossman. They were residing here at the time. Jacob Rhone came from Centre Hall, in Centre county, Pennsylvania; J. A. Krumrine from Littlestown, Adams county, Pennsylvania. I do not know Joseph Griffith's residence. William H. Gottwaldt came from Aaronsburg, Centre county, Pennsylvania; J. C. Kohler from Glen Rock, York county, Pennsylvania; P. H. Schaeffer from Limerick, Montgomery county, Pennsylvania; S. S. Henry from Shrewsbury, York county, Pennsylvania; M. G. Boyer from James's Creek, Huntingdon county, Pennsylvania; L. A. Swope from Littlestown, Adams county, Pennsylvania. None of these men—I mean those who are now students in college—are here at this time except Mr. Gottwaldt. Mr. Henry is, I think, a student in the seminary in Philadelphia. In October, 1864, these gentlemen were here as students. They had come for the purpose of prosecuting

their studies in the institution. I infer this from the fact of their entering college; I have no other source of knowledge on the subject. I do not know of any of those persons whom I have named having settled in Gettysburg after completing their course of study in the college and seminary. I do not know that any of them had lived in Gettysburg previous to entering the college. I was acquainted with Michael Colver, William H. Steck, and T. C. Pritchard. I think they were students in the Theological Seminary at Gettysburg in October, 1864. Mr. Colver came from western Pennsylvania; William H. Steck from Hughesville, I think, in Lycoming county, Pennsylvania, and T. C. Pritchard from Bloomsburg, Columbia county, Pennsylvania. Mr. Colver is now preaching, I think, in western Pennsylvania; William H. Steck is preaching in Columbia, Lancaster county, Pennsylvania, and T. C. Pritchard is still a student, but is not here at present, so far as I know.

Cross-examined by D. McConaughy, esq., counsel for contestant:

Jacob Rhone is still a student in the institution; I think it is three years or more since he came to Gettysburg. I think J. A. Krumrine had been here three years previous to the election in October, 1864. I think Wm. H. Gottwaldt had been here three or four years previous to October, 1864. J. C. Kohler was a senior in 1864, and had been here three or four years before that. P. H. Shaeffer entered college in September, 1864. S. S. Henry had been here five years or more previous to 1864. M. G. Boyer was there hree or four years before 1864. L. A. Swope had been a year in college before October, 1864.

Re-examined in chief by Wm. McClean, esq.:

We have three vacations in the year—winter vacation, three weeks; spring vacation, four weeks, and summer vacation, six weeks. I think the students named usually went home in vacations to get money and clothing, and to fix up for another session.

Cross-examined by D. McConaughy, esq.:

Mr. Griffith had been here about a year previous to 1864—I mean in college

H. L. BAUGHER.

R. G. McCREARY, *Commissioner.*

The counsel for William H. Koontz, the contestant, object to the taking of testimony by the sitting member for the reason that ten days' notice was not given thereof, as required by the rule of Congress. This objection being taken previous to the examination of the foregoing witness, and entered here by agreement.

R. G. McCREARY, *Commissioner.*

Jacob A. Krumrine sworn and examined by Mr. McClean, esq., for sitting member:

I am twenty-three years of age; I reside in Union township, Adams county; I was a student in Pennsylvania College, at Gettysburg, in October, 1864, and voted for member of Congress at the election held October 11, 1864, in the borough of Gettysburg; I voted for Mr. Koontz. I was enrolled under the conscription law of the United States in Union township; I cannot say when I was enrolled; it was before October, 1864; I was attending college at the time; I think the notice was handed to me by the officer whilst I was at home in vacation; it was before October, 1864. I was drafted from Union township in 1863. I paid the commutation money.

Cross-examined by D. McConaughy, esq.:

When I voted in 1864 I considered Gettysburg my residence; I had been, a year or two previous to that, in Gettysburg, including the vacations, and regarded

Gettysburg my residence; I was asked to pay taxes, and I voted there. I became of age in July, 1863. I did not come to Gettysburg for the purpose of voting, but in pursuance of my occupation.

Re-examined by Wm. McClean, esq., counsel for sitting member:

I came to Gettysburg to prosecute my studies in college. The college and Theological Seminary are both located in Gettysbug. I had no other occupation while in Gettysburg except that of a student in college. I had no intention of remaining in Gettysburg longer than was required to complete my studies in college, and perhaps at the seminary. I am a single man. My parents reside in Union township, Adams county. I reside now with my aunt, and am engaged in the study of medicine.

Re-cross-examined by D. McConaughy, esq.:

I was enrolled when at my uncle's, where I now reside, and have resided since I left college. I came to Gettysburg in September, 1862, and left in March, 1865, when I returned to Union township.

Re-examined by Wm. McClean, esq., counsel for sitting member:

I have resided with my uncle in Union township since I was a child, and resided there when I came to Gettysburg to college; while I was a student I spent my vacations there.

J. A. KRUMRINE.

R. G. McCREARY, *Commissioner.*

Jeremiah Culp sworn and examined by counsel for sitting member:

I am forty-five years of age. I reside in the borough of Gettysburg. I was one of the clerks at the election held October 11, 1864. The list of votes shown to me here is the list kept by me at that election. It was the State election; a member of Congress was to be elected. The following named persons voted at that election, viz: Jacob Rhone, J. A. Krumrine, Joseph Griffith, Wm. H. Gottwaldt, J. C. Kohler, Michael Colver, P. H. Shaeffer, Wm. H. Steck, T. C. Pritchard, S. S. Henry, M. G. Boyer, L. A. Swope, G. Grossman. These men were students at the college or seminary, or some from each.

Cross-examined by D. McConaughy, esq., counsel for contestant:

Question. State whether or not the following persons voted at that election.

(Objected to by Wm. McClean, esq., counsel for sitting member, as not being a cross-examination to anything testified in chief.)

Witness. The following named persons voted at that election: Zenos Gable, Joseph Hillpet, Wm. M. Rightmeyer, A. J. Riley, J. B. Reimensnyder, W. C. Shaeffer, W. T. Schell, T. C. Billheimer, T. H. Shaeffer. To the best of my knowledge these persons were all students. I have been attending the elections for the last ten or twelve years as clerk, inspector, or judge. During that time the students have been voting at elections. Both political parties have voted them. The officers of election have held that students, on proof of payment of tax and residence, were entitled to vote, and proof has been required from year to year; proof of ten days' residence prior to election, at the election in October, 1864. The same tests were applied as to the right to vote in the cases of students. It was applied to all students, and was applied at that election. Their declaration made under oath that they considered this their residence was received as evidence; they were not allowed to vote without that declaration. Where objections were made they were required to state under oath that they considered this their residence. Objections were frequently made by both parties.

All this cross-examination objected to by Wm. McClean, esq., counsel for

sitting member, as irrelevant, and not a cross-examination to any matter testified in chief, and because not confined to statements respecting persons voting on the 11th of October, 1864.

R. G. McCREARY, *Commissioner.*

Re-examined by Wm. McClean, esq., counsel for the sitting member:

I cannot say, positively, whether the tests I have mentioned were applied in the cases of the persons I have named as students voting at the election in October, 1864; I have no doubt they were applied in some of the cases, but I cannot specify them; the declaration under oath as to the residences was considered sufficient evidence of the fact. There was great weight given to the sworn declaration of the student as to his residence.

Re-cross-examination by D. McConaughy, esq., counsel for contestant:

I cannot recollect any case on which any evidence was offered to the board to contradict the declaration on oath as to residence; the inquiry was, usually, as to whether they considered this their residence; the fact of their being ten days in the district not being disputed.

Re-examined in chief:

I speak of this as applying to the case of all students, and not to any particular case.

JEREMIAH CULP.

R. G. McCREARY, *Commissioner.*

William H. Gotwald sworn:

I am twenty-five years of age; I am a student in Pennsylvania college at Gettysburg; I was a student in the college in October, 1864. When I entered college I came from Aaronsburg, Centre county, Pennsylvania; was born there; I voted for member of Congress in Gettysburg at the election on the 11th October, 1864; I voted for Mr. Koontz, the opponent of Mr. Coffroth. I was enrolled under the conscription law of the United States at Aaronsburg, Centre county; it was the first enrolment for three years' service; I cannot give the date; it was before the election in October, 1864. There was no change of enrolment made that I know of. I know of other students voting at the election on the 11th October, 1864, in Gettysburg. Jacob Rhone, Joseph Griffith, J. C. Kohler, J. S. Henry, George Grossman, voted at that election. I think Michael Colver, Wm. H. Steck, T. C. Pritchard, L. A. Swope, P. H. Shaffer also voted. I distributed the republican ticket, on which was the name of Wm. H. Koontz for Congress, at that election, among the students. There were frequent political discussions among the students in that campaign; these students whom I have named were republicans; they received republican tickets from me. I mean those I have mentioned and others. They accepted them from me; I think it was the day of the election. None of these persons are here at present.

David McConaughy, esq., counsel for the contestant, objects to this and the foregoing testimony in regard to the votes of students, that it is not embraced in any specification alleging votes as being illegal in consequence of being cast by students, and is, therefore, within the objection for want of notice under the rules.

R. G. McCREARY, *Commissioner.*

Cross-examined by the same:

I have resided in Gettysburg since 1861, in the fall; I have been assessed and voted. In October, 1864, at time of election, I regarded Gettysburg as my place of residence, and have so considered it since the fall of 1861, and have voted at no other place. I considered my enrolment in Centre county as erro-

neous, and objected to it at the time, and objected to the enrolling officer, and said to him I considered Gettysburg my residence and proper place of enrolment, and also consulted counsel upon the facts, and he gave the same opinion. The following persons also voted at that election, viz: S. Gable, Joseph Hilpot, W. M. Rightmeyer, A. J. Riley, W. C. Shaffer, W. T. Schell, T. Z. Billherman, P. H. Shaffer. I do not recollect whether J. B. Reimersnyder voted or not, but I think he did. I had the same opportunity for knowing the political opinions of these men as of those whom I named in my examination-in-chief. They—that is, the nine persons last named—were all active and earnest democrats at that election. They were sworn advocates of the ticket on which General Coffroth was a candidate for Congress. I did not intend to state in my examination-in-chief that P. H. Shaffer was a republican or voted that ticket; that is a mistake. I did not notice it at the time, and thought the question was *whether he had voted* at that election. He was a very decided democrat.

William McClean, esq., counsel for the sitting member, objects to the foregoing cross-examination in relation to students, as to whom no inquiry was made on the examination-in-chief.

Re-examined by William McClean, esq., for sitting member:

The objection made to my enrolment in Centre county was made at Aaronsburg; there was never any final action taken in regard to it. The enrolling officer told me, in reply, he was obliged to enroll all persons, and visit all families, and my mother had given my name as of proper age to be enrolled. She told him I regarded Gettysburg as my residence. I am a single man. My mother lives in Aaronsburg; my father is dead a number of years. I have frequently spent my vacations at home, perhaps half of them there, (Aaronsburg,) and half here, (Gettysburg.) I do not think it is my intention to remain in Gettysburg after I have completed my studies. I cannot give a positive answer to that. I am very well acquainted with Jacob Rhone; he was enrolled in Centre county, under the conscription act; he was enrolled there before the election in 1864; he was drafted, I think before October, 1864, but am not positive; he went into the service; do not know the time.

Re-cross-examined by D. McConaughey, esq., for contestant:

The students named by me on cross-examination as having voted at that election, viz: Gable, Rightmyer, Shaeffer, and others, came from places outside of Adams county.

Re-examined in chief by William McClean, esq., for sitting member:

George Grossman and Joseph Griffith also came from places outside of Adams county.

W. H. GOTWALD.

R. G. McCREARY, *Commissioner.*

MAY 8, 1866.

Cornelius Dougherty sworn and examined by William McClean, esq., counsel for the sitting member:

I reside in the borough of Gettysburg. I am thirty-five years of age. I moved to Gettysburg in October, 1865; previous to that I resided in Cumberland township, Adams county; I was assessor for Cumberland township from the fall of 1863 until the fall of 1864; I was also collector of taxes assessed by me in 1863–'64. This book now produced is my tax duplicate for Cumberland township, and contains a list of taxes for State and county purposes in 1864; the following named persons then at the county poor-house were assessed for taxes in 1864, viz: Cornelius Brinkerhoff, David Beecher, Henry Gipe, John Johns, Henry Hilt, William Keefer, Andrew Kuntz, George Luther, Lewis

Morfit, Patrick Mulligan, George W. Morgan, Samuel Rose, Richard Stevens, Daniel Shuner, Christian Spaidman, Charles Sham; they were assessed for an occupation tax.

The following-named, as above, paid their tax: Cornelius Brinkerhoff, David Beecher, Henry Gipe, John Johns, William Keefer, George Luther, Lewis Morfut, Patrick Mulligan, George W. Morgan, Samuel Rose, Richard Stevens, Daniel Shuner, Christian Spaidman, and Charles Sham. Some of them, eight or nine, paid before the election in October, 1864; some has been paid since. I was at the election in October, 1864, in Cumberland township, and voted. I saw all or nearly all of these men from the poor-house, whom I had assessed, at the election; they generally walked to the election. I don't recollect of any coming in any other way than on foot. I saw Jacob Culp, the steward at the poor-house, and Alfred Slonecker there. I did not make use of any threats or promises to any of those persons from the poor-house in relation to their voting. There were no threats or promises made use of by Mr. Culp or Mr. Slonecker, to my knowledge. The men came there, and all seemed very anxious to vote. They voted their own free will. There was no compulsion used; I am confident of that. I knew David Beecher from the time he was a small boy. He voted at the election spoken of in Cumberland township. He was of sound mind on the day of the election, so far as I could discover. James Smith voted at that election.

D. A. Buehler, esq., counsel for contestant, objects to this testimony in relation to James Smith, because it is not embraced in any specification alleging votes as being illegal in Cumberland township, and is therefore within the objection alleging want of notice under the rules.

R. G. McCREARY, *Commissioner.*

John Armstrong voted in Cumberland township at that election. Both Smith and Armstrong were inmates of the poor-house at that time; they belonged to the republican party; they were allowed to vote their sentiments; they were both considered very stiff republicans. I know they voted that ticket. I did not see their tickets, but they voted that ticket. James Smith is dead; died within a year.

Cross-examined by D. A. Buehler, esq., counsel for contestant:

I believe I saw James Smith and John Armstrong vote. I did not see Smith's ticket; I saw Armstrong's ticket before he voted—not just at the time, but the same day. I knew they voted the republican ticket from their talk. Neither of them would take a ticket to vote it from the hands of a democrat. I had conversation with David Beecher on that day. I voted for General Coffroth. I was generally all day at the election. I was electioneering for the democratic party. The persons from the poor-house, with the exception of Smith and Armstrong, that is, Brinkerhoff, Beecher, Gipe, Johns, Keefer, Luther, Morfut, Mulligan, Stevens, Shuner, and Spaidman, I think, were democrats; the others named by me, I do not know how they voted. I judge those last named voted the democratic ticket at that election. I don't recollect whether any of those men were brought out in a wagon that day, or not. These men named by me from the poor-house were paupers. Andrew Koontz and Henry Hilt did not pay me any tax; the paupers were assessed by me in the fall or winter of 1863, to the best of my recollection; it was some time after I had made the regular assessment; the regular assessment was returned, perhaps, the last of November, or first of December; these men were assessed afterwards; I don't think their names are in the regular assessment returned by me to the commissioner's office; I went out to the poor-house at my own instance and made the assessment; I was not called upon to do it; I saw most of them; the others' names I got from the steward; I don't think I made a return of their names to the commissioner; I think I transferred their

names to my tax-duplicate myself, and collected the tax so far as paid to me, and returned it to the treasurer; part of it had been paid to the treasurer; a few of these men—two or three—paid me the tax in person; I put their occupations at twenty-five dollars in the assessment; their county tax was ten cents each; I suppose they all had occupations; one was a tailor; one or two attended the stock at the barn; one washed the dirty clothes; I mean by occupation, that they labored at the poor-house at such work as the steward assigned them; some of them were not able to labor, being physically disabled; they had no occupation by which they earned a livelihood, so far as I know of; I don't know whether any of them received any compensation or not.

Re-examined by William McClean, esq., counsel for sitting member:

I cannot say that all these persons were paupers; they were residing at the poor-house; I do not recollect of ever asking Andrew Koontz and Henry Hilt for their tax; I think every one of them was required, at the election, to show that they had paid a tax within two years; this proof was required at the election in October, 1864; I could not swear positively that those men from the poor-house whom I have said were democrats, voted for Alexander H. Coffroth at the election in October, 1864; as a general thing, their tickets went in folded up.

Re-cross-examined by D. A. Buehler, esq., counsel for contestant:

I cannot say that I saw Koontz or Hilt vote that day; I do not know them very well; don't recollect of being present when they voted; I can't say that they were required to prove payment of taxes, but that was the general rule; Christian Spaidman was one that paid me tax in person; I think Morfut or Mulligan paid me, but do not recollect distinctly; the name of Alex. H. Coffroth was printed on the democratic ticket for Congress at that election.

CORNELIUS DOUGHERTY.

R. G. McCREARY, *Commissioner.*

Jonas Johns sworn and examined by William McLean, esq.:

I am sixty-one years of age. I am steward at the Adams county poor-house. The book here shown to me is a book that was given to me as the steward's book on taking charge of the house. I find in the records of paupers in the house the name of James Smith, admitted October 31, 1854, and John Armstrong, admitted April 25, 1863.

(D. A. Buehler, esq., counsel for contestant, objects to this testimony because it is not embraced in any specification of votes alleged to be illegal in Cumberland township, and is, therefore, within the objection alleging want of notice under the rule.)

R. G. McCREARY, *Commissioner.*

And the same objection to apply to the testimony of Cornelius Dougherty, and other witnesses produced, or that may be produced in relation to James Smith, John Armstrong, or other alleged voters in Cumberland township.

R. G. McCREARY, *Commissioner.*

Witness cross-examined by D. A. Buehler, esq., counsel for contestant:

The record now produced by me is the same book that was produced by me and referred to on my examination in chief in the testimony taken on the part of William H. Koontz, the contestant.

JONAS JOHNS.

R. G. McCREARY, *Commissioner.*

John Armstrong sworn and examined by William McClean, esq., counsel for the sitting member:

I am sixty years of age as near as I can tell. I have been at the poor-house ever since the battle. I went there some time before the battle, in 1863. I think I voted at the last election for Congress in Cumberland township; it was the old federal or whig ticket. I never voted anything else in all my life. It was the full ticket—I did not alter it. I have altered nothing this five or six years. I mostly get my ticket at McClellan's—they are republicans. I do not know who was the democrat candidate for Congress. I don't think I voted for the democratic candidate for Congress. I don't think he was on the ticket I voted. There were persuasions made to vote the democratic ticket, but I had my own way.

(This testimony objected to by D A. Buehler, esq., counsel for contestant, for reasons heretofore assigned.)

Cross-examined by the same:

I have paid taxes almost every year since I quit farming; I have paid no tax at the poor-house; I paid a high tax while at Breams, and until I went to the poor-house; I think I paid ten cents since I have been at the poor-house. I have been voting in Cumberland township fifteen or twenty years, and voted there ever since I had a vote, except about seven years that I was out of the township; I work at the poor-house; I plough and harrow, and help to plant corn; now I am digging post-holes.

Re-examined by William McClean, esq., counsel for sitting member:

I work under the steward. I have never drawn any wages. I applied for some once, but got none. I had cradled alongside a man that got two dollars and a half a day, and thought they might give me some money.

JOHN ARMSTRONG.

R. G. McCREARY, *Commissioner.*

Christian Spaidman sworn and examined by William McClean, esq., counsel for sitting member:

I am sixty years old. I am a tailor. I live at the poor-house. I make the clothes for the men. I was in a store at Petersburg seven years ago, and took sick with rheumatism; was sick six months, and came to the poor-house on account of my sickness. I make the clothing. I have been at the poor-house seven years. I remained at the poor-house and took in work. The directors allowed me take in work from the country, and they allowed me to draw the money. I have a bargain now with the directors. I get twenty dollars a year and my boarding. I did not get anything before. This year they allow me to draw the money for any work I may do for other persons. I do not much work for outside parties. I must do the poor-house work. They formerly had a shoemaker in the house, but he has gone away. He did not live in the house; he came there to work.

Cross-examined by D. A. Buehler, esq., counsel for contestant:

I did work for other persons in 1864. I was born in Hesse Darmstadt, in Germany. Came to this country in 1855. I was naturalized in Adams county.

CHRISTIAN SPAIDMAN.

R. G. McCREARY, *Commissioner.*

John Culp sworn and examined by William McClean, esq., counsel for sitting member:

I am twenty-two years of age, and reside in Gettysburg, Adams county, Pennsylvania. I am a son of Jacob Culp, deceased, late steward of the Adams

county poor-house. I lived there in my father's family for some time. I was acquainted with the inmates of the house, and was so during the time my father lived there, say eight years. Daniel Shuner acted as nurse in the house; Henry Gipe worked about the house and on the farm—whatever was to be done; Patrick Mulligan attended to the cattle; they had sometimes as much as thirty head of cattle, sometimes not so many; George W. Morgan worked on the farm and about the house; would carry water, and scrub, and whatever the women wanted him to do; George Luther, when he first came the first summer, attended to the garden. I do not think he did anything after that; he was an old man. The other men named were there in the year 1864. Christian Spaidman was a tailor.

Cross-examined by D. A. Buehler, esq., counsel for contestant:

All the paupers who were able to work were required to work at such labor as the steward put them at. My father left the poor-house in the fall of 1865. George Luther had been there about three years before that. All the persons whom I have mentioned were paupers at the poor-house, supported by the county. Morgan and Gipe worked most all the time. The tailor had work all the time. The others worked only occasionally.

Re-examined by William McClean, esq.:

The poor-house farm contains about 300 acres. The most of the work on the farm is done by the people of the house. David Beecher helped to work the farm; he ploughed and harrowed.

Re-cross-examined by David McConnaughy, esq., counsel for contestant:

On a farm of that size two good hands could do the work, except in harvest. They always had two hands hired on the farm. The paupers helped, from time to time, as needed. David Beecher worked pretty constantly; he was crazy part of the time. The number of paupers averaged about one hundred and fifteen.

JOHN CULP.

R. G. McCREARY, *Commissioner.*

Jacob A. Kitzmiller sworn and examined by William McClean, esq., counsel for sitting member:

I am the elected and commissioned prothonotary of Adams county. This paper A is a copy of the return of an election held at Camp Cadwalader, October 11, 1864, as filed in my office. (See paper A annexed.)

R. G. McCREARY, *Commissioner.*

Papers B, C, and D are true and correct copies of the poll-books, certificate, and return of an election held on the 11th of October, 1864, in an independent company of Pennsylvania volunteers in military service of the United States, at McConnellsburg, Pennsylvania, as filed in my office. (Vide papers B, C, and D hereunto annexed.)

R. G. McCREARY, *Commissioner.*

Paper E is a true and correct copy of the return, poll-book, and certificate of an election held October 11, (second Tuesday,) 1864, in company F, 210th regiment Pennsylvania volunteers, at Squirrell Hill, Virginia, as filed in my office. (Vide paper E annexed.)

R. G. McCREARY, *Commissioner.*

Paper F is a true and correct copy of the return of an election held October 11, 1864, in company A, 1st regiment light artillery, near Chapin's Farm, Virginia, so far as relates to voters from Adams county, as transmitted from

the office of the secretary of the commonwealth at Harrisburg, and filed in my office. (Vide paper F hereunto annexed.)

R. G. McCREARY, *Commissioner.*

Paper G is a true and correct copy of the list of voters at the election held in Huntingdon township, Adams county, October 11, 1864, as the same remains on file in my office. (Vide paper G hereunto annexed.)

R. G. McCREARY, *Commissioner.*

Paper H is a true and correct copy of the list of voters in Latimore township, Adams county, at the election held October 11, 1864, as the same remains on file in my office. (Vide paper H hereunto annexed.)

R. G. McCREARY, *Commissioner.*

Paper I is a true and correct copy of the certificate of the general election held in the district composed of the townships of Huntingdon and Latimore, in Adams county, on the 11th day of October, 1864, as the same remains on file in my office. (Vide paper I hereunto annexed.)

R. G. McCREARY, *Commissioner.*

D. A. Buehler, esq., counsel for contestant, objects to the admission of the above lists of voters from the townships of Huntingdon and Latimore, and certificate of the general election held in said townships, being papers G, H, and I, as not being embraced within any specifications served by the sitting member upon the contestant, and therefore not evidence.

R. G. McCREARY, *Commissioner.*

Paper K is a true and correct copy of the return of an election held in company E, of the 205th regiment Pennsylvania volunteers, on the 11th day of October, 1864, as the same remains on file in my office. (Vide paper K hereunto annexed.)

R. G. McCREARY, *Commissoiner.*

D. A. Buehler, esq, counsel for contestant, objects to the admission of paper K in evidence, because it is not embraced within any specification furnished by the sitting member to the contestant, and therefore not evidence.

R. G. McCREARY, *Commissioner.*

Paper L is a true and correct copy of the return of an election held on the second Tuesday (11th) of October, 1864, in company G, of the two hundredth regiment Pennsylvania volunteers, as the same remains on file in my office. (Vide paper L hereunto annexed.)

R. G. McCREARY, *Commissioner.*

D. A. Buehler, esq., counsel for contestant, objects to the admission of paper L, because it is not embraced within any of the specifications furnished by the sitting member upon the contestant, and therefore it is not evidence.

R. G. McCREARY, *Commissioner.*

These papers are all true and correct copies of election returns on file in my office of the election held October 11, 1864.

Cross-examined by D. A. Buehler, esq., counsel for the contestant:

I prepared and certified to and for General William H. Koontz a list of all the military votes for Congress at the election held October 11, 1864, from the returns on file in my office. I think the vote returned from company E, of the 205th regiment Pennsylvania volunteers, and marked as paper K in my testimony in chief, is included in that list. If in said list, prepared and certified by

me, it appears as company *C*, 205th regiment, it is an error, and ought to be company *E*, as there is no return from company C of that regiment on file.

J. A. KITZMILLER.

R. G. McCREARY, *Commissioner.*

Henry G. Wolf sworn and examined by William McClean, esq., counsel for the sitting member:

I reside in Gettysburg; am forty-nine years of age. I was one of the clerks for the return judges of the election held in Adams county, October 11, 1864. This paper now before me is my tally-list of the votes received and counted by the judges, including votes cast by men in the military service and voted outside of the county. Among the votes counted by the judges were the following, viz: One vote for William H. Koontz from Camp Cadwalader, Philadelphia, (paper A;) two votes for Alexander H. Coffroth and six votes for William H. Koontz from independent company of Pennsylvania volunteers in the service of the United States at McConnellsburg, Pennsylvania, (papers B, C, and D;) one vote for William H. Koontz from company F, 210th regiment Pennsylvania volunteers, at camp near Squirrel Hill pond, Virginia, (paper E;) two votes for William H. Koontz from company A, 1st regiment light artillery, at Chapin's farm, Virginia, (paper F.) The vote of the district composed of Huntingdon and Latimore townships, Adams county, was counted jointly 186 votes for Alexander H. Coffroth and 342 for William H. Koontz, (papers G, H, and I) There was no return before the judges of an election held in company E, 205th regiment Pennsylvania volunteers, (paper K,) and no such vote counted by them. Nor was there any return from company G, of the 200th regiment Pennsylvania volunteers, in camp near City Point, Virginia, before the judges, nor any votes from that company counted by them, (paper L.)

D. A. Buehler, esq., counsel for the contestant, objects to so much of the testimony of this witness as relates to the returns of the district composed of the townships of Huntingdon and Latimore, and the returns from company E, 205th regiment, and company G, 200th regiment, because the subject-matter is not embraced in any of the specifications served by the sitting member on the contestant, and, therefore, it is not evidence.

R. G. McCREARY, *Commissioner.*

Cross-examined by the same:

In speaking of the return judges, I mean the majority. A portion of the judges refused to sign the certificate, but the board were unanimous in agreeing to count the votes mentioned in papers A, B, C, D, E, F, and I. The vote in the county for Congress was, as I summed it up, 2,644 for Alexander H. Coffroth, and 2,233 for William H. Koontz; and the military vote was 63 for Alexander H. Coffroth, and 133 for William H. Koontz. The whole number for Alexander H. Coffroth was 2,707, and for William H. Koontz 2,366. In computing the county or home vote, Cumberland township was counted 132 votes for Alexander H. Coffroth and 116 for William H. Koontz. Franklin township was counted 197 for Alexander H. Coffroth and 135 for William H. Koontz. The district composed of the townships of Hamiltonban and Liberty was counted 155 votes for Alexander H. Coffroth and 163 for William H. Koontz.

H. G. WOLF.

R. G. McCREARY, *Commissioner.*

Jacob Bushey affirmed and examined by William McClean, esq., counsel for the sitting member:

I am sixty-two years of age; I reside in Gettysburg, Adams county. I was the prothonotary of Adams county during the year 1864. This paper, (paper K,)

being return from company E. of the 205th regiment Pennsylvania volunteers, was not certified by me to the return judges, because I thought it defective. This paper, (paper L,) being the return from company G, of the 200th regiment, was not received until after the last meeting of the return judges; it contains one vote for Alexander H. Coffroth, and paper K also contains one vote for Alexander H. Coffroth.

(D. A. Buehler, esq., counsel for the contestant, objected to this testimony, because it is not within any specification furnished by the sitting member upon the contestant, and, therefore, not evidence under the rule.)

JACOB BUSHEY.

R. G. McCREARY, *Commissioner.*

MAY 9, 1866.

James J. Fink sworn and examined by William McClean, esq., counsel for the sitting member:

I reside in Gettysburg; my age is fifty-four years; I am the clerk of the orphans' court and court of quarter sessions of Adams county, Pennsylvania. The facts set forth in paper M, herewith presented and filed, are correct, as set forth upon the records of the court of quarter sessions of said county, showing the organization of Huntingdon and Latimore townships in said county. Vide paper M, herewith annexed.

(D. McConaughey, esq., counsel for the contestant, objects to the admission of this testimony, because it is not embraced within any specification furnished by the sitting member to the contestant, and, therefore, is not evidence.)

JAMES J. FINK.

R. G. McCREARY, *Commissioner.*

Luther A. Swope sworn and examined by William McClean, counsel for the sitting member:

I am twenty-three years of age; I reside in Littlestown, Adams county, Pennsylvania. I was a student in Pennsylvania College, at Gettysburg, in October, 1864. I voted in Gettysburg at the election in October, 1864, for member of Congress; I voted for Mr. Koontz, William H. Koontz. I was enrolled under the conscription law of the United States in Germany township, Adams county. Littlestown was, I think, then in Germany township. I think I was enrolled before the October election in 1864. I came to Gettysburg, when I entered college, from Littlestown. I came to Gettysburg intending to graduate at college and enter the theological seminary after graduating. I had no fixed or certain intention as to my course or residence after completing my literary and theological course of study. I was acquainted with P. H. Shaeffer, who was and is a student in college, and have been since he entered college; I was intimate with him. He has been here about one year and two-thirds; I think he came at the beginning of the full session before the election. I do not recollect having conversations with him on political subjects. I do not know his sentiments; I regarded him as holding republican sentiments; I so regarded him at the time of the election, in 1864.

Cross-examined by David McConaughy, esq., counsel for contestant:

I was not drafted. I do not recollect when I was enrolled; I gave it no attention; I do not know whether it was before or after the election in 1864. I am positive Mr. P. H. Shaeffer commenced his sophomore year in college, and the session commenced in September, 1864, I think. I may be mistaken as to P. H. Shaeffer holding republican sentiments. I believe I always considered Littlestown my place of residence. I considered when I was here at college and voted at the election in October, 1864, that I had such a residence as enti-

tled me to vote in Gettysburg. I think I still have such a residence in Gettysburg, the same as I then had; I am still a student in college. My father is not living. My mother is alive. I was twenty-three years old on the 3d of December, 1865. I have not voted at any other place than in Gettysburg. I have regarded it as my proper place of voting since I came to college.

Re-examined by William McLean, esq., counsel for sitting member:

My mother lives in Littlestown. I sometimes went home during the sessions of college. I consider Littlestown my home and speak of it in that way. I spend most of the time in vacations there. I do not recollect being at home at time of an election there since I became twenty-one years of age. P. H. Shaeffer and I both remained in college in adjoining rooms. He is not here at present that I know of.

Re-cross-examined by D. McConaughy, esq., counsel for contestant:

Littlestown is in Adams county, Pennsylvania. I have been in Gettysburg at college from the beginning of the session before the election in October, 1864. The session began in September; I do not recollect the day of the month. I did not consider myself as residing in Gettysburg; I considered myself as residing there sufficiently to entitle me to vote. I considered my home to be at Littlestown. I did not pursue any occupation at Littlestown since coming to college. During one vacation I was at City Point, Virginia, in the service of the Sanitary Commission, and part of the time at Harrisburg in the same service.

Re-examined in chief by Wm. McClain, esq., counsel for sitting member:

I was born in Littlestown, and have lived there all my life, except while attending college.

LUTHER A. SWOPE.

R. G. McCREARY, *Commissioner.*

Testimony closed May 9, 1866, at 10.15 a. m.

R. G. McCREARY, *Commissioner.*

No. 25.

[Paper A.]

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of company I, 187th regiment Pennsylvania volunteers, in the actual military service under the requisition of the President of the United States, this election being held at Camp Cadwalader, Philadelphia, which place the said electors, being present, have selected for opening a poll for said election, and certify herein that William H. Huss, Daniel D. Carey, and Moses Wingate, judges, and Stephen Martin, jr., and Jerome B. Starry, clerks, being duly elected, and being severally sworn according to the certificates herein returned.

Oaths of the judges and clerks.

We, William H. Huss, Daniel D. Carey, and Moses Wingate, judges of this election, and Stephen Martin, jr., and Jerome B. Starry, clerks thereof, do severally swear we will duly perform the duties of judges and clerks of said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service,"

according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the said election.

MOSES WINGATE,
DANIEL D. CAREY,
Judges.
STEPHEN MARTIN, JR.,
JEROME B. STARRY,
Clerks.

I hereby certify that Daniel D. Carey and Moses Wingate, judges of this election, and Stephen Martin, jr., and Jerome B. Starry, clerks thereof, were first duly sworn as aforesaid by me.

_____, _____,
Judge of the Election.

I certify that William H. Huss, judge of election aforesaid, was also duly so affirmed according to law by me.

JEROME B. STARRY,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid Camp Cadwalader to be the place of opening a poll for said election. Witness our hands the day and year aforesaid.

DANIEL D. CAREY,
MOSES WINGATE,
Judges of said Election.

Attest:
JEROME B. STARRY,
STEPHEN MARTIN, JR.,
Clerks.

Names of electors voting at said election.

No. 1. John W. McKosh, Adams county, York Sulphur Springs.

It is hereby certified by us that the above list of the electors voting at the said election is correct, and that the number of electors of the county of Adams, State of Pennsylvania, at said election is one (1) vote.

Tally-paper of the above votes of Adams county, Pennsylvania.

William H. Kuntz, for Congress, one (1.)
David Myers, for assembly, one (1.)

We certify that the aforesaid tally-paper and list of voters is correct. Witness our hands the day and year aforesaid.

DANIEL D. CAREY,
MOSES WINGATE,
Judges.
JEROME B. STARRY,
STEPHEN MARTIN,
Clerks.

Return of the election.

At an election held by the electors of company I, 187th regiment, Pennsylvania volunteers, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, for the county of Adams, there were cast one vote as follows:

For Congress, William H. Koontz, one vote; for assembly, David Myers, one vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

MOSES WINGATE,
DANIEL D. CAREY,
Judges of the Election.

Attest:
JEROME B. STARRY,
SEPHEN MARTIN, JR.,
Clerks.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas for said county, do certify the foregoing to be true and correct copies of the poll-book, tally-paper, and return of the election at Camp Cadwalader, as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at Gettysburg, this 3d day of May, A. D. 1866.

[SEAL.]

J. A. KITZMILLER, *Prothonotary.*

No. 26.

[Paper B.]

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Adams county, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, independent company of Pennsylvania volunteers, held at McConnellsburg, Pennsylvania; W. H. Houghtlin, W. N. Stewart, and David H. Yount being duly elected judges of the said election, and John H. Bushman and George B. Entrekin being duly appointed clerks of said election, being all severally sworn according to the certificate herewith returned.

Oaths of the judges and clerks.

We, Wm. H. Houghtlin, W. N. Stewart, and David H. Yount, judges of this election, and John H. Bushman and George B. Entrekin, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

Priv. W. H. HOUGHTLIN,
Lieut. W. N. STEWART,
Corp. DAVID H. YOUNT,
Judges.

JOHN H. BUSHMAN,
GEORGE B. ENTREKIN,
Clerks.

I hereby certify that the aforesaid W. H. Houghtlin, W. N. Stewart, and David H. Yount, judges, and John H. Bushman and George B. Entrekin, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this 11th day of October, A. D. one thousand eight hundred and sixty-four.

_____,
Judge of said Election.

I certify that W. H. Houghtlin, judge of election aforesaid, was also duly so sworn according to law by me.

_____.
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid jail, in the borough of McConnellsburg, Pennsylvania, to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

Private W. H. HOUGHTLIN,
Lieut. W. N. STEWART,
Corp'l DAVID H. YOUNT,
Judges of said Election.

Attest:
JOHN H. BUSHMAN,
GEORGE B. ENTREKIN.
Clerks.

No. 27.

PAPER C.—*Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Adams county, State of Pennsylvania.*

For representative in the House of Representatives of the United States, William H. Koontz had six votes; Alexander H. Coffroth had two votes.

For representatives in the house of representatives of Pennsylvania, David M. Myers had six votes; James H. Marshall had two votes.

For county commissioner, John Day had six votes; Abraham Krise of P. had two votes.

For director of the poor, Ephraim D. Newman had six votes; John N. Graft had two votes.

For county auditor, Isaac N. Durboraw (3 years) had six votes; Joseph Kepner (2 years) had six votes; Joseph Burkee (3 years) had two votes; Jacob Hull (2 years) had two votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct' Witness our hands the day and year aforesaid.

JOHN H. BUSHMAN,
GEORGE B. ENTREKIN,
Clerks.

Number and names of the electors voting at the election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	John H. Bushman	Adams county	Gettysburg borough.
2	W. H. Houghtlin	do	Do.
3	David H. Yount	do	Do.
4	John Smith	do	Do.
5	Abraham Waybright	do	Freedom township.
6	George R. Harmon	do	Tyrone township.
7	Charles E. Forsythe	do	Reading township.
8	Joseph Stough	do	Do.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of ——— county, State of Pennsylvania, voting at the said election amounts to —.

Witness our hands the day and year aforesaid.

———— ————,
———— ————,
———— ————,
Judges of the Election.

Attest:

———— ————,
———— ————,
Clerks of the Election.

No. 28.

PAPER D.—*Return of the Election.*

At an election held by the electors of Adams county, independent company of Pennsylvania soldiers, at McConnellsburg, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States eight votes; of which William H. Koontz had six votes; Alexander H. Coffroth had two votes.

For representatives in the house of representatives of Pennsylvania there were cast eight votes; of which David M. Myers had six votes; James H. Marshall had two votes.

For the office of county commissioner there were cast eight votes; of which John Day had six votes; Abraham Krise of P. had two votes.

For the office of director of the poor there were cast eight votes; of which Ephraim D. Newman had six votes; John M. Graft had two votes.

For the office of county auditor there were cast eight votes; of which Isaac N. Durboraw (3 years) had six votes; Joseph Kepner (2 years) had six votes; Joseph Burkee (3 years) had two votes; Jacob Hull (2 years) had two votes.

A true return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid, independent company Pennsylvania soldiers.

Private W. H. HOUGHTLIN,
Lieut. WILLIAM N. STEWART,
Corporal DAVID H. YOUNT,
Judges of the said Election.

Attest:

JOHN H. BUSHMAN,
GEORGE B. ENTREKIN,
Clerks.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas for said county, do certify the foregoing to be a true and correct copy of the election return of independent company of Pennsylvania soldiers, as the same remains on file in this office.

[SEAL.] In testimony whereof, I have hereunto set my hand and the seal of said court, this 7th day of May, A. D. 1866.

J. A. KITZMILLER,
Prothonotary.

No. 29.

[Paper E.]

Poll-book of the election held on the second Tuesday of October, in the year of our Lord one thousand eight hundred and sixty-four, by the qualified electors of Adams county, State of Pennsylvania, being in the actual military service under the requisitions of the President of the United States, in company F, 210th regiment of Pennsylvania volunteers, at camp near Squirrel Hill road, Virginia. George F. Rowlee, Elymus Hackett, and Alason T. Kinney being duly elected judges of the said election, and William L. Colwell and Francis A. Boyer being duly appointed clerks of said election, and all having been severally sworn according to the certificates herewith returned.

Here sworn according to the act of Congress of August twenty-fifth, one thousand eight hundred and sixty-four.

ALASON T. KINNEY,
G. F. ROWLEE,
ELYMUS HACKETT.
Judges.

WILLIAM W. COLWELL.
F. A. BOYER,
Clerks.

Number and names of the electors voting at the said election, and their county, town, ward, or precinct of residence.

No. 1. James Davis, Adams county, Huntingdon township.

Tally list.

For Congress, William H Koontz had one vote.
For assembly, David M. Myers had one vote.
For commissioner, John Day had one vote.
For director of the poor, Ephraim D. Newman had one vote.
For auditors, Isaac N. Durboraw (three years) had one vote; Joseph Kepner (two years) had one vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

G. F. ROWLEE,
Company F, 210th Reg. Pa. Vols.,
A. T. KINNEY,
Company F, 210th Reg. Pa Vols.,
ELYMUS HACKETT,
Company F, 210th Reg. Pa. Vols.,
Judges of said Election.

Attest:
WILLIAM W. COLWELL,
FRANCIS A. BOYER,
Clerks.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas for said county, do certify the foregoing to be true copies of the poll-book, tally-list, and return of the election of company F, 210th regiment Pennsylvania volunteers, as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and the seal of said court, this 3d day of May, A. D. 1866.

[SEAL.]

J. A. KITZMILLER, *Prothonotary.*

R. G. MCCREARY, *Commissioner.*

No. 30.

[Paper F.]

STATE OF PENNSYLVANIA, *Office of the Secretary of the Commonwealth:*

Among the returns of the election held on the 11th day of October, A. D. 1864, transmitted to, and received at, this department from ——————, it is thus contained:

Names of voters from Adams county.

No.	Names of voters.	County.
	Co. A, 1st reg't light art., near Chapin's farm, Va.	
1	William Brooks	Hamiltonban township.
2	Samuel D. Martin	Berwick borough.

Names of candidates.	Number of ballots.
U. S. Congress—Wm. H. Koontz	Two votes (2.)

PENNSYLVANIA, *ss:*

I do hereby certify that the foregoing is a correct copy of said election return, so far as the same relates to the county of Adams.

In witness whereof, I have hereunto set my hand and caused the seal of said office to be affixed, this twenty-seventh day of October, A. D. one thousand eight hundred and sixty-four.

[SEAL.]

ELI SLIFER,
Secretary of the Commonwealth.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas for said county, do certify the foregoing election return to be a true and correct copy of the return of said election on file in my office.

In testimony whereof, I have hereunto set my hand and seal of said court, this 2d day of May, 1866.

[SEAL.]

J. A. KITZMILLER, *Prothonotary.*

R. G. MCCREARY, *Commissioner.*

PAPER G.—*A list of voters of the election held in Huntingdon township on the 11th day of October*, 1864.

1 Levi Smith, 1	9 Michael Minter, 1	17 Chs. A. Peacock, 1
2 Abraham Snyder, 1	10 John E. Spangler, 1	18 John J. Albert, 1
3 Jos. A. R. McBride, 1	11 John E. Plank, 1	19 William Plank, 1
4 Rera B. Raby, 1	12 W. W. Stewart, 1	20 John Gardner, jr., 1
5 J. Frank Gardner, 1	13 James J. Metcalfe, 1	21 Abra'm H. Miller, 1
6 H. C. Peters, 1	14 Samuel Plank, 1	22 Jesse Smyers, 1
7 Dr. W. R. Stewart, 1	15 Absalom Asper, 1	23 Isaac Kennedy, 1
8 Moses F. Bowers, 1	16 Levi Livingston, 1	24 William Reed, 1

25 Thom. C. Kennedy, 1
26 James Miller, 1
27 John W. Gardner, 1
28 William Still, 1
29 David Larew, 1
30 Chales Beals, (tax) 1
31 N. Stambaugh, 1
32 Wm. B. Smyers, 1
33 Samuel Bowers, 1
34 John O. Gardner, 1
35 Joseph Day, 1
36 Henry Dotera, 1
37 J. A. Chronister, 1
38 Thom. J. Stephens, 1
39 William H. Webb, 1
40 Joseph Galloway, 2
41 G. W. Metcalfe, 1
42 James Day, (of N) 1
43 George W. Day, 1
44 Victor King, 1
45 John Shanefelter, 1
46 Levi Jacobs, 1
47 Wm. B. Gardner, 1
48 Thomas Ziegler, 1
49 John B. Groop, 1
50 Isaac Groop, 1
51 F. N. W. Bowers, 1
52 John How, sr., 1
53 Jas. Davis, (of E) 1
54 John Day, esq., 1
55 Dr. D. Carl, 1
56 Jonas Johns, 1
57 Waltemyer Ziegler, 1
58 Isaac Thomas,
59 Samuel Butman, 1
60 John Plank, 1
61 Alx. W. Heiges, 1
62 Thomas Stephens, 1
63 John D. Becker, 1
64 Wm. A. Fickel, 1
65 Jeremiah Wilson, 1
66 Michael Bush, 1
67 Stephen Wierman, 1
68 Harman Wierman, 1
69 Eph. C. Albert, 1,
70 Anthouy Deardorff, 1
71 E. Hileshew, 1
72 B. Gardner, jr., 1
73 Jacob Braim, 1
74 Abr'm Brough, 1
75 Geo. M. Smith, 1
76 Joseph Wierman, 1
77 Peter Fry, 1
78 P. Snyder, (age) 1
79 Peter Myers, 1
80 Michael Fissel, 1
81 John W. Sheats, 1
82 Geo. E. Miller, 1
83 John List, 1
84 Jacob Sheffer, 1
85 John Delap, 1
86 Michael Starry, 1
87 Adam Grove, 1
88 John Miller, (of L) 1
89 H. Albert, (tax) 1
90 Jacob F. Bowers, 1
91 Isaac B. Houser, 1
92 Simon Yetts, 1
93 J. D. McKinney, 1
94 Jacob Mattorff, jr., 1
95 Conrad Wolf, 1
96 Frederick Wolf, 1
97 E. S. Myres, 1
98 Isaiah Stephens, 1
99 Nicholas Wierman, 1
100 Wm. D. Miller, 1
101 Peter Penner, 1
102 Alfred Miller, 1
103 D. M. Stewart, (tax) 1
104 H. Wample, (tax) 1
105 David Johns, (tax) 1
106 John H. Yeagy, 1
107 John Day, (of N) 1
108 Jonathan Miller, 1
109 Charles Miller, 1
110 Howard Groop, 1
111 Fletcher Beals, 1
112 Jacob P. Asper, 1
113 Washington Myres, 1
114 Geo. W. Wierman, 1
115 Adams A. Myers, 1
116 David Kime, 1
117 David T. How, 1
118 Hatten Kennedy, 1
119 D. H. Markley, 1
120 Jacob Wolf, 1
121 Henry Manges, 1
122 William Ickes, 1
123 Jacob Tangert, 1
124 Geo. P. Riggle, 1
125 Jesse Kline, 1
126 Wm. Morehead, 1
127 Jesse John, 1
128 Washington Meals, 1
129 Samuel Shelly, 1
130 Howard How, 1
131 Zachariah Orsbonn, 1
132 Lewis Cleaver, 1
133 Dr. I. W. Pearson, 1
134 David Cleaver, 1
135 John Cleaver, 1
136 C. Stewdebecker, 1
137 John Miller, 1 (of C)
138 Chas. G Miller, 1
139 Andrew Trimmer, 1
140 Peter F. Smith, 1
141 David Beams, 1
142 Lewis Myers, 1
143 Michael Bower, 1
144 George Gross, 1
145 B. F. Leashy, 1
146 Jacob C. Schriver, 1
147 Michael Brenner, 1
148 John Weidner, 1
149 David Day, 1
150 John C. Brandon, 1
151 W. B. Jobe, 1
152 T. D. Reed, 1
153 B. F. Wierman, 1
154 Wm. T. Brandon, 1
155 Jacob Slaybaugh, 1
156 Dr. A. B. Dill, 1
157 Jon. B. Myers, 1
158 Samuel Snyder, 1
159 Geo. B. Shugar, 1
160 Sebastian Fickes, 1
161 Jacob Jobe, 1
162 Abraham Meals, 1
163 Jacob F. Cline, 1
164 Isaac Sadler, 1
165 Rev. G. W. Ferguson, (tax) 1
166 Borius Reed, 1
167 William Lase, 1
168 Jonas Wolf, 1
169 James A. Miller, 1
170 John Wilson, 1
171 John Sadler, 1
172 William L. Neely, 1
173 John Keplenger, 1
174 Jacob Meals, 1
175 Aloecius Richroad, 1
176 Wm. B. Brandon, 1
177 Jos. Trimmer, 1
178 James How, sr., 1
179 Jeremiah Beams, 1
180 Frederick Bowers, 1
181 Jno Fitzcharles, 1
182 Nelson Hay, 1
183 Nathan Bretman, 1
184 Andrew Kuhns, 1
185 Jer. Rudebush, 1
186 Jacob Mortuff, sr., 1
187 Henry Heiges, (tax) 1
188 Amos Bowers, 1
189 Jer. Slaybaugh, 1
190 John Stitzel, 1
191 A. G. Peters, (tax) 1

192 Isaac Shoeman, 1
193 H. A. Meals, (tax) 1
194 Henry A. Wierman, 1
195 W. H. Lease, 1
196 Geo. A. Groop, 1
197 Alferd Albert, 1
198 John P. Braim, 1
199 Leonard McElwee, 1
200 Abraham Fickes, 1
201 Howard Wierman, 1
202 J. W. B. Miller, 1
203 Abraham Sheffer, 1
204 Wm. C. Leshey, 1
205 Geo. W. Welch, 1
206 Hamilton Myers, 1
207 Jesse Gardner, 1
208 Sebastian Stitzel, 1
209 Isaac How, 1
210 Franklin Myers, 1
211 John Fickes, 1
212 Philip Myers, 1
213 Reverend I. Muller, (tax) 1
214 John Starry, 1
215 Jonathan Golden, 1
216 James Nickle, 1
217 Daniel Markley, 1
218 John Zinn, (tax) 1
219 Jabob F. Stoke, 1
220 George Bower, 1
221 Wesley F. Sadler, 1
222 Rev. J. O. Proctor, 1
223 N. L. Wierman, 1
224 Emanuel Brough, 1
225 Sam'l Haverstick, 1
226 Samuel Brown, 1
227 John Pfleger, 1
228 Ephraim Lease, 1
229 David How, 1
230 Daniel Manges, 1
231 Martin Speck, 1
232 Wm. Groop, (age) 1
233 Chas. Sheffer, (tax) 1
234 Joseph Smith, 1
235 John W. Meals. 1
236 Andrew Hartman, 1
237 Barnhart Gardner, 1
238 James Riggle, 1
239 Emanuel Smith, 1
240 W. H. H. Wolf, 1
241 John D. Day, 1
242 Michael Spertzel, 1
243 Daniel Glass, 1
244 Alfred A. Wierman, 1
245 Levi E. Jacobs, 1
246 George Braim, 1
247 George Cauffman, 1
248 Borius Smith, 1
249 H. A Wolf, 1
250 Francis Coulson, 1
251 Lewis Smith, 1
252 Jacob A. Miller, 1
253 Samuel Gardner, 1
254 Isaac E. Wierman, 1
255 Ephraim Fickes, 1
256 Albert Christ, (tax) 1
257 Jacob Bishop, 1
258 Peter H. Smith, 1
259 John W. Cline, 1
260 John W. Peoples, 1
261 John C. Cane, 1
262 Joseph Yoke, 1
263 Abraham Trostle, 1
264 Wm. R. Worley, 1
265 Isaac Richards, 1
266 Emanuel Manges, 1
267 Nicholas Detrich, 1
268 Thomas G. Neely, 1
269 Joseph Bonner, 1
270 Thomas Rohr, 1
271 Jacob Asper, (corp.,) 1
272 Jacob Arnsbarger, 1
273 Benj. H. Miller, 1
274 John Megary, 1
275 Henry J. Myers, 1
276 Jacob Hartman, 1
277 John D. Sowers, 1
278 Hezekiah Golden, 1
279 John A. Myers, 1
280 Adam Stouffer, 1
281 George Smick, 1
282 Thos. E. Gardner, 1
283 John Spealman, 1
284 Jos. A. Wierman, 1
285 James Wilt, 1
286 George Fickes, 1
287 Adam Braim, 1
288 John C. Stephens, sr., 1
289 John Mundorff, 1
290 Adam Weigle, 1
291 B. W. Ziegler, 1
292 Benjamin Shelly, 1
293 Joseph Braim, 1
294 Jacob A. Kennady, 1
295 Cornelius Braim, 1
296 Jeremiah Braim, 1
297 George B. Miller, 1
298 Henry Sheeler, 1
299 George A. Peters, 1
300 Philip Snyers, 1
301 Jonathan Bowers, 1
302 Jacob Winand, 1
303 Adam Slaybaugh, 1
304 Jacob A. Gardner, 1
305 Samuel Wigle, 1
306 John H. Fink, 1
307 John Deardorff, 1
308 Benjamin Gardner, 1
309 Henry Shultz, 1
310 Joseph Simpson, 1
311 Dr. J. H. Marsden, 1
312 John A. Shultz, 1
313 Joseph Schultz, 1
314 Daniel Albert, 1
315 William Megary, 1
316 John Weigle, 1
317 Abraham Detrick, 1
318 Watson R. Sadler, 1
319 Eli Gochenower, 1
320 Daniel Bietman, 1
321 J. W. Reitzel, 1
322 Henry J. Trostle, 1
323 Jeremiah Shelly, 1
324 Peter Gross, 1
325 Robert Nickel, 1
326 Howard Nickel, 1
327 John Welch, 1
328 George H. Trostle, 1
329 George Slaybaugh, 1
330 George M. Miller, 1
331 D. W. Miller, 1
332 Michael Leer, 1
333 Jacob Leer, 1
334 James Wilson, 1

WM. REED, *Clerk.*

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas for said county, do hereby certify the foregoing to be a true and correct copy of the list of voters of Huntingdon township, as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, this 7th day of May, A. D. 1866.

[SEAL.]

J. A. KITZMILLER, *Prothonotary.*

R. G. MCCREARY, *Commissioner.*

PAPER H.—*List of voters at a general election held at the public house of George Hildebrand, in Petersburg, on Tuesday, the 11th day of October, 1864, for the township of Latimore.*

1 David Hoffman, 1
2 Lewis P. Walker, 1
3 Anthony K. Myers, 1
4 John Wolford, 1
5 Isaac D. Worley, esq., 1
6 Jonathan Breneman, 1
7 George F. Livingston, 1
8 Reuben Doorbaugh, 1
9 Henry Anderson, 1
10 Edward Crisswell, 1
11 Alfred J. Gardner, 1
12 Daniel W. Hoopert, 1
13 Ammon Leas, 1
14 Jacob Livingston, 1
15 Arnold Gardner, 1
16 George Heikes, 1
17 Solomon Gilbert, 1
18 George Hollinger, 1
19 Albert C. Crisswell, 1
20 Abraham Rhoads, 1
21 Samuel Griestwite, 1
22 George W. Cox, 1
23 John Sheaffer, 1
24 George L. Deardorff, 1
25 Nathan Smith, 1
26 Gideon Smith, 1
27 Nicholas N. Bushey, 1
28 Edward Ernest, 1
29 Solomon Gensler, 1
30 George Abbert, 1
31 David Lainhart, 1
32 Chas. F. Bonner, 1
33 John Coulson, 1
34 Warner Townsend, 1
35 Conrad Abbert, 1
36 Moses Heiges, 1
37 Jacob Shultz, 1
38 Amos C. Myers, 1
39 Daniel Hoopert, sr., 1
40 Charles W. Griest, 1
41 Henry Criswell, 1
42 John Wickle, 1
43 Jacob L. Chronister, 1
44 John W. Fickle, 1
45 Peter Fry, sr., 1
46 Aaron Leas, 1
47 Jacob Stitzel, 1
48 William Forsythe, 1
49 Abraham Livingston, 1
50 Emanuel Harmen, 1
51 Michael Stambaugh, 1
52 George S. Fickle, 1
53 William Fickle, 1
54 Abraham Ziegler, 1
55 Michael E. Myers, 1
56 Michael Harbold, 1
57 Jesse Leas, esq., 1
58 Alfred Sheaffer, 1
59 Daniel W. Harbold, 1
60 Jesse Cook, 1
61 Samuel Miller, sr., 1
62 Paul Troup, 1
63 Josiah Mummert, (tax,) 1
64 M. M. Line, 1
65 Amos Gardner, 1
66 George Myers, (miller,) 1
67 Abram Elicker, 1
68 George Elicker, 1
69 Geo. W. Elicker, 1
70 John Elicker, 1
71 John Leer, 1
72 Jacob L. Coulson, 1
73 Col. Frank Gardner, 1
74 Daniel Hoffman, 1
75 Jacob Heiges, 1
76 Eli Troup, 1
77 Jesse Chronister, 1
78 Peter Burtner, 1
79 Ammon Winand, 1
80 Levi Heines, 1
81 John K. Leas, 1
82 Peter Pentz, 1
83 Sam. Dolhammer, 1
84 Jacob Dolhammer, sr., 1
85 Daniel Smith, 1
86 John W. Smith, 1
87 George Detter, 1
88 John Tuder, 1
89 George Chronister, sr., 1
90 Jacob Koecht, 1
91 John Detter, 1
92 Wm. H. Koontz, 1
93 Michael Jacobs, 1
94 George F. Myers, 1
95 Peter Dolhammer, 1
96 John C. Hoecht, 1
97 Daniel F. Stitzel, 1
98 William Leer, 1
99 Joseph Grove, 1
100 George Chronister, jr., 1

101 David S. Beales, 1
102 Jacob Diller, 1
103 Abram Smith, 1
104 David Arnold, 1
105 Christian Chronister, 1
106 William Hoopert, 1
107 Samuel Johnson, 1
108 Samuel Leas, 1
109 Washington Powers, 1
110 Michael Schriver, 1
111 George Smith, 1
112 Moses Myers, 1
113 John Primmer, 1
114 John Johnson, 1
115 Henry Martin, 1
116 Jacob Shank, 1
117 Israel Flohr, 1
118 Henry Witmer, 1
119 Isaac Asper, 1
120 Abram Grove, 1
121 Isaac B. Asper, 1
122 Joel Griest, 1
123 Dr. J. R. Plank, 1
124 Peter Clapper, 1
125 Abram Lighty, 1
126 Isaac F. Tuder, 1
127 David H. Myers, 1
128 John Martin, 1
129 Jesse Lerrew, 1
130 John Zeigler, 1
131 Owen Griest, 1
132 Jonathan Myers, 1
133 James C. Fickes, 1
134 Moses Vanscoyec, 1
135 George Day, 1
136 John Hoopert, 1
137 Adam Winand, 1
138 William Wright, 1
139 John H. Myers, 1
140 George Albert, 1
141 Michael Ebersole, 1
142 Jacob Elicker, 1
143 Jno. S. Chronister, 1
144 Andrew L. Coulson, 1
145 Howard Heiges, 1
146 Joseph Powers, 1
147 W. B. Myers, 1
148 Daniel Arnold, 1
149 P. J. Myers, 1
150 Abram B. Smith,
151 Tempest M. Breneman, 1
152 Elisha B. Smith, 1
153 Amos Peters, 1
154 Wm. Eichelberger, 1
155 Charles Prosser, 1
156 Solomon Wagner, 1
157 Wm. H. Gardner, 1
158 John Albert, 1
159 George M. Anders, 1
160 George Robinette, 1
161 Samuel Arnold, 1
162 Andrew B. Lerew, 1
163 George B. Brandt, 1
164 John H. Stitzel, 1
165 Adam Breneman, 1
166 Solomon Lerew, 1
167 Jacob Criswell, 2
168 Wm. Livingston, 1
169 Jacob Livingston, 1
170 Ephraim Albert, 1
171 Jacob Fissel, 1
172 John Hoffman, 1
173 Cyrus Albert, 1
174 Jacob Hayberger, 1
175 Isaac Harman, 1
176 James Gardner, 1
177 Wm. G. Criswell, 1
178 Frederick Heiges, 1
179 Jacob Swartz, 1
180 Samuel Leer, 1
181 Conrad E. Myers, 1
182 Adam Lerew, 1
183 William Nichel, 1
184 John Hamilton, 1
185 John R. Hoffman, 1
186 Peter Stephens. 1
187 Theopolis Powers, 1
188 Ephraim Winand, 1
189 Christian Kauffman, 1
190 Frederick Winand, 1
191 Samuel Hoopert, 1
192 Wm. F. Bonner, 1
193 John Morhead, 1

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas for said county, do certify the foregoing to be a true and correct copy of the list of voters of Latimore township, Adams county, Pennsylvania, as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at Gettysburg, this 4th day of May, A. D. 1866.

[SEAL.]

J. A. KITZMILLER. *Prothonotary.*

No. 33.

PAPER I.—*Certificate of general election.*

In compliance with law, we, the undersigned, being duly elected and sworn according to law, judge and inspectors of the general election held on Tuesday, the 11th instant, (being the second Tuesday of October, A. D. 1864,) at the public house of G. W. Hildebrand, in the township of Huntingdon, Adams county, for the election district composed of the townships of Huntingdon and Latimore, in and for said county of Adams, do certify that upon closing the poll and counting the votes according to law, it appeared that for the office of—

Congress: William H. Koontz had votes three hundred and forty-two (342;) Alexander H. Coffroth had votes one hundred and eighty-six (186.)

Assembly: David M. Myers had votes three hundred and forty-four (344;) James H. Marshall had votes one hundred and eighty-five (185.)

County commissioners: John Day had votes three hundred and seventy (370;) Abraham Krise of P. had votes one hundred and fifty-nine (159.)

Directors of poor: Ephraim D. Newman had votes three hundred and forty-two (342;) John N. Graft had votes one hundred and eighty-six (186.)

Auditors: Isaac N. Durboraw (3 years) had votes three hundred and forty-three (343;) Joseph Kepner (2 years) had votes three hundred and forty-three (343;) Joseph Burkhart (3 years) had votes one hundred and eighty-six (186;) Jacob Hull (2 years) had votes one hundred and eighty-six (186.)

A. K. MYERS,
JOHN J. ALBERT,
Judges.
JACOB LIVINGSTON,
DANIEL W. HOOPERT,
JOHN E. SPANGLER,
WILLIAM B. SMYERS,
Inspectors.
JESSE SMYERS,
Clerk.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas for said county, do certify the foregoing to be a true and correct copy of the certificate of the election return of the election district composed of the townships of Huntingdon and Latimore, as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and the seal of said court this 8th day of May, A. D. 1866.

[SEAL.] J. A. KITZMILLER,
Prothonotary.

No. 34.

PAPER K.—*Adams county, Pennsylvania.—Votes of Company E, 205th regiment Pennsylvania volunteers.*

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1.	Simon C. Benner.....	Adams county.	Straban township.

It is hereby certified by us that the above list of electors voting at said election amounts to one (1.)

Witness our hands the day and year aforesaid.

1st Lieut. GEORGE L. KROPP,
1st Sergt. RICHARD HAUS,
2d Sergt. JOHN K. MILLER,
Judges of Election.

Attest:
HENRY A. CHRISTINE,
LEWIS WINGERT,
Clerks.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas for said county, do certify the foregoing to be a true and correct copy of the election return of company E, 205th regiment Pennsylvania volunteers, as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and the seal of said court, [SEAL.] at Gettysburg, this 2d day of May, A. D. 1866.

J. A. KITZMILLER,
Prothonotary.

Tally-paper of votes cast by company E, 205th regiment Pennsylvania soldiers, infantry, for Adams county, October 11, 1864.

For Congress, Alexander H. Coffroth one vote (1.)
Assembly, James H. Marshall one vote (1.)
County commissioner, Abraham Krise, of P., one vote (1.)
Director of the poor, John N. Graft one vote (1.)
County auditor, Joseph Burkee (3 years) one vote (1;) Jacob Hull (2 years) one vote (1.)

No. 35.

[Paper L.]

Poll-book of the election held on the second Tuesday of October, in the year one thousand, eight hundred and sixty-four, by the qualified electors of Adams county, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company G, of the 200th regiment Pennsylvania volunteers, held at camp, near City Point, Virginia; Joseph A. Peters, David Hyde, and Charles Stewart being duly elected judges of the said election, and J. Amos Miller and James L. Poston being duly appointed clerks of said election, all being severally sworn according to the certificate herewith returned.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

Name of elector voting: Adam Becker, Adams county, Berwick township.

It is hereby certified by us that the said election is correct, and that the number of electors of Adams county, State of Pennsylvania, voting at said election, amounts to one vote.

Witness our hands the day and year aforesaid.

JOSEPH A. PETERS,
DAVID HYDE,
CHARLES STEWART,
Judges of Election.

Attest:
J. AMOS MILLER,
JAMES L. POSTON,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified electors of Adams county, State of Pennsylvania, in company G, 200th regiment Pennsylvania soldiers.

For county commissioner, Abraham Krise, of P., had one vote.
For auditor, Joseph Burker (3 years) had one vote; Jacob Hull (2 years) had one vote.

For director of the poor, John N. Graft had one vote.
For Congress, Alexander H. Coffroth had one vote.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

J. AMOS MILLER,
JAMES L. POSTON,
Clerks.

Return of election.

At an election held by the electors of Adams county, in company G, of the 200th regiment of Pennsylvania soldiers, at camp, near City Point, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For Congress, one vote; of which Alexander H. Coffroth had one vote.
For county commissioner, one vote; of which Abraham Krise, of P., had one vote.
For auditor, one vote; of which Jacob Burker had one vote; Jacob Hull, —.
For director of poor, one vote; of which John N. Graft had one vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

JOSEPH A. PETERS, Co. G, 200th Reg't P. V.,
DAVID HYDE, Co. G, 200th Reg't P. V.,
CHARLES STEWART, Co. G. 200th Reg't P. V.,
Judges.

J. AMOS MILLER,
JAMES L. POSTON,
Clerks.

ADAMS COUNTY, *ss:*

I, J. A. Kitzmiller, prothonotary of the court of common pleas of said county, do certify the foregoing to be true and correct copies of the poll-book, tally-papers, and election return of the election held in company G, of the 200th regiment of Pennsylvania volunteers, on the 2d Tuesday of October, 1864, as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and the seal of said court, [SEAL.] at Gettysburg, this 2d day of May, A. D. 1866.

J. A. KITZMILLER,
Prothonotary.

M.

I, James J. Fink, the clerk of the court of quarter sessions of the peace, in and for Adams county and State of Pennsylvania, hereby certify that Huntingdon township was one of the original townships in the organization of Adams county, in the year one thousand and eight hundred, (1800,) and that upon proceedings in the said court, commenced at May sessions, 1806, and upon report of viewers, the township of Latimore, in said county, was erected out of parts of Huntingdon township, &c., and that in sessions docket A of said court, on page 105, the following entries are found:

"AUGUST SESSIONS, 1807, *August* 19, 1807.

"Whereupon, it is considered by the court and ordered that the foregoing reports be, and the same are hereby, confirmed by the several courses and dis-

tances aforesaid, and that the said township be known by the name and style of Latimore township.

"The court appoints John Albert, constable of Latimore township; William Wierman and Andrew Bower, overseers of the poor, and Andrew Lowbaugh and John Chronister, supervisors of the highways, for the remainder of the present term."

And I further certify that the said townships of Huntingdon and Latimore have been ever since, and are at this time, two distinct townships, having their own separate township officers.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at Gettysburg, this 8th day of May, A. D. 1866.

JAMES J. FINK,
Clerk Quarter Sessions.

[SEAL.]

No. 36.

Return of the election.

At an election held by the electors of Fulton county, in the detachment signal corps, United States army, Pennsylvania soldiers, at camp, at Greencastle, Pennsylvania, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, one vote; of which William H. Koontz had one (1.)

A true return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

JAMES H. MONTGOMERY,
Detachment Signal Corps U. S. A.,
THOMAS J. McMANIS,
Detachment Signal Corps U. S. A.,
B. FRANK. SEIBERT,
Detachment Signal Corps U. S. A.,
Judges of the said Election.

Attest:
BENJAMIN C. DAWNEY,
C. LEE MURRAY,
Clerks.

Number and name of the electors voting at the said election, and their county, city, borough, township, ward or precinct of residence.

1. John Brown Lesher, Fulton county, Ayer township.

Filed October 13, 1864.

No. 37.

Return of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Fulton county, Pennsylvania soldiers, at Camp Riddle, Pennsylvania, there were cast—

For representative in the House of Representatives in the Congress of the United States, two votes; of which Wm. H. Koontz had two (2) votes.

A true return of the election held as aforesaid, on the second Tuesday of Octo-

ber, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

JAMES J. PATTERSON,
Captain Co. G, 148th Regiment Penn. Vol. Soldiers,
ENOS P. JEFFERIES,
1st Sergeant Co. L, 17th Reg. Penn. Cavalry Soldiers,
JAMES MEYERS,
Private 17th Reg. Penn. Vol. Cavalry Soldiers,
Judges of the said Election.

Attest:
J. FRANK LEISS,
DANIEL W. BARNHART,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No. 1. William H. Hipsley, Fulton county, Bethel township.
No. 2. Daniel Ritz, Fulton county, Bethel township.
Filed October 14, 1864.

No. 38.

Number and names of the electors voting at an election held at Haddington United States army hospital, Philadelphia, Pennsylvania, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, who are residents of Fulton county, with their city, borough, township, ward, or precinct.

No. 1. Andrew J. Fraker, Dublin township.

Tally-paper or list of votes and returns for each person voted for at the said election, by the qualified voters of Fulton county.

For representative in the House of Representatives in the Congress of the United States, William H. Koontz had one (1) vote.

We hereby certify that the aforesaid tally-papers, list of voters, and return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid, is true and a correct return thereof, there being more than ten electors present and voting at the same.

JOHN A. Z. FUEAT,
HIRAM L. STONE,
FRANK M. GIRTIN,
Judges of said Election.

Attest: ALBERT MANN,
JACOB B. LUTZ,
Clerks.
Filed October 15, 1864.

No. 39.

Return of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Fulton county, State of Pennsylvania, being in the actual military service aforesaid, and unable to at-

tend any company poll, or their proper places of election, at the United States army general hospital, York county, Pennsylvania, being the place selected by the said electors for opening the polls for this election, there were cast—

For representative in the House of Representatives in the Congress of the United States, one vote; of which W. H. Koontz had one vote.

A true return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

GEORGE W. McELROY,
Co. 118, 2d Batt. Vet. Reserve Corps Sols.,
W. G. ROBINSON,
Act'g Ass't Surg. U. S. A. Hosp'l, York, Pa.,
H. L. SMYSER,
Act'g Ass't Surg. U. S. A. Hosp'l, York, Pa.,
Judges of said Election.

Attest:
HORACE G. MANN,
JOSEPH H. SHOFFER,
Clerks.

List of electors voting at the said election.

No. 1. Joseph H. Swope, private company M, 22d Pennsylvania cavalry, Fulton county, Licking Creek township.

Filed October 17, 1864.

No. 40.

Number and names of the electors voting at an election held at Camp Parole, Annapolis, Maryland, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, of the qualified electors of Fulton county, State of Pennsylvania, voting at said election.

No. 1. George W. Sipes, Fulton county, Belfast township.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Fulton county, State of Pennsylvania.

For representative in the House of Representatives of the United States' William H. Koontz had one (1) vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

PATRICK KELCY,
Company L, 83d Regiment Pa. Vols.,
JOHN M. STEELE,
Company G, 107th Regiment Pa. Vols.,
WILLIAM GRACEY,
1st Lieutenant 107th Regiment Pa. Vols.,
Judges of the said Election.

Attest:
JOHN BREEN,
CHARLES KAPPES,
Clerks.

Filed October 18, 1864.

No. 41.

Return of the election.

At an election held by the electors of Fulton county, in company E, of the eighty-fourth regiment of Pennsylvania soldiers, at Fort Bloss, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, one vote; of which Alexander Coffroth had one (1) vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty four, certified by us the day and year aforesaid.

GEORGE W. SOWER,
Company E, 84th Regiment Pa. Soldiers,
ALFRED AURANCT,
Company E, 84th Regiment Pa. Soldiers,
HENRY H. SNARE,
Company E, 84th Regiment Pa. Soldiers,
Judges of said Election.

Attest: ROBERT JOHNSON,
SAMUEL L. HARE,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precint of residence.

No. 1. Jacob Miller, Fulton county, Dublin township.

Filed October 18, 1864.

No. 42.

Return of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Fulton county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll or their proper place of election, at Camp Provost Guard, 17th and Master, Philadelphia, being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the House of Representatives in the Congress of the United States, one (1) vote; of which William H. Koontz had one vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

JNO. W. JACK,
Capt. Co. A, 186th Reg't Pa. Vol. Sol.,
JAS. McCANN,
Capt. Co. E, 186th Reg't Pa. Vol. Sol.,
THEO. G. GAUSS,
Serg't Co. E, 186th Reg't Pa. Vol. Sol.,
Judges of the said Election.

Attest: Serg't H. P. SEIBERT,
Serg't J. L. SMITH,
Clerks.

List of electors voting at the said election.

No. 1. George Himes, Fulton county, Brush Creek township.
Filed October 4, 1864.

No. 43.

Return of the election.

At an election held by the electors of Fulton county, in company E, of the Forty-ninth regiment of Pennsylvania soldiers, at camp, near Winchester, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, two (2) votes; of which William H. Koontz had two (2) votes.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

BENJAMIN H. DOWNNY,
1st Lieut. Co. E, 49th Reg't Pa. Sol.,
LEWIS K. PINKERTON,
Company E, 49th Reg't Pa. Sol.,
SAMUEL P. HARTMAN,
Company E, 49th Reg't Pa. Sol.,
Judges of the said Election.

Attest:
CHARLES S. WHITING,
JAMES S. GWIN,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No. 1. David H. Mathias, Fulton county, Dublin township.
2. Samuel W. Saltkeld, Fulton county, Taylor township.
Filed October 19, 1864.

No. 44.

Return of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Fulton county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll, or their proper place of election, at Renit camp, Martinsburg, West Virginia, being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the House of Representatives in the Congress of the United States, seven votes; of which W. H. Koontz had five (5) votes; A. H. Coffroth had two (2) votes.

A true return of the election held as aforesaid, on the second Tuesday of Oc-

tober, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

BENJAMIN F. CRAIG,
Co. H, 14th Cav. Reg't Pa. Vol. Sol.,
M. M. BROCKMAN,
Co. C, 22d Cav. Reg't Pa. Vol. Sol.,
JESSE M. TEEPLE,
Co. C, 22d Cav. Reg't Pa. Vol. Sol.,
Judges of the said Election.

Attest: ROBERT J. CULLEY,
J. F. HENRY,
Clerks.

Number and names of the electors voting at the said election, and their county city, borough, ward or precinct of residence.

No. 1. J. E. Barnett, Fulton county, Wells township.
2. Wm. C, Hilde, Fulton county, Dublin township.
3. John M. Gillis, Fulton county, Todd township.
4. Robert S. Giffin, Fulton county, Wells township.
5. Joseph Edwards, Fulton county, Wells township.
6. J. W. Chestnut, Fulton county, Dublin township.
7. George Needham, Fulton county, Dublin township.

Filed October 19, 1864.

No. 45.

Return of the election.

At an election held by the electors of Fulton county, in company K, 202d regiment of Pennsylvania soldiers, at Thoroughfare Gap, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast four (4) votes for representative in the House of Representatives in the Congress of the United States; of which William H. Koontz had four (4) votes.

Number and names of the electors voting at said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Jacob C. Lockard	Fulton county	Wells township.
2	William A. Gray	do	Do.
3	Curran A. Moore	do	Do.
4	John A. Woodkok	do	Do.

It is hereby certified by us that the above list of electors voting at said election is correct, and that the number of electors of Fulton county, State of Pennsylvania, voting at said election, amounts to four (4.)

Witness our hand the day and year aforesaid.

PETER SHAVER,
2d Lieut. Co. K, 202d Regiment P. V.,
P. H. BENCY,
Private Co. K, 202d Regiment P. V.,
A. W. DECKER,
Captain Co. K, 202d Regiment P. V.,
Judges of said Election.

Attest: DAVID R. BETTS,
HENRY P. STAINS, *Clerks.*

Filed October 19, 1864.

No. 46.

Return of the election.

At an election held by the electors of Fulton county, in company D, of the 209th regiment of Pennsylvania soldiers, at the defences of Bermuda Hundred, Virginia, on the second Tuesday of October, one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, ——; of which William H. Koontz had two (2) votes.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

JAMES P. McCOLLOUGH,
Company D, 209th Reg't Pennsylvania Vols.,
NOAH W. KUHN,
Company D, 209th Reg't Pennsylvania Vols.,
BENJAMIN F. DEAL,
Company D, 209th Reg't Pennsylvania Vols.,
Judges of said Election.

Attest:
Sergeant J. F. BEAMER,
Corporal E. T. REED, *Clerks.*

Number and names of the electors voting at the said election, and their county, city, township, borough, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, &c.
1	Enoch Dishong	Fulton county	Taylor township.
2	Joseph Parker	do	Do.
3	Isaac Hollonshead	do	Belfast township.

Filed October 20, 1864.

No. 47.

Return of the election.

At an election held by the electors of Fulton county, State of Pennsylvania in the actual military service aforesaid, and being unable to attend any company poll or their proper place of election, at Farmer's Lane, United States army general hospital, Philadelphia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, —— votes ; of which William H. Koontz had one (1) vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

SIMON KINNEY,
Company L, 6th Reg't Penn. Reserve Corps,
his
WILLIAM × WALLACE,
mark.
Company C, 191st Reg't Penn. Volunteers,
GEORGE P. FULTON,
Company E, 155th Reg't Penn. Volunteers,
Judges of said Election.

Attest:
ROBERT McKECHNEY,
JOSEPH ALEXANDER, *Clerks.*

Number and names of the electors voting at the said election, and their county, city, borough, ward, or precinct of residence.

No. 1. Robert H. Welsh, Fulton county, Dublin township.

Filed October 20, 1864.

No. 48.

Return of the election.

At an election held by the electors of Fulton county, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company B of the 148th regiment of Pennsylvania volunteers, held at Fort Steadman, near Petersburg, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, — votes; of which A. H. Coffroth had one (1) vote.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No. 1. John Lucas, Fulton county, Ayr township.

We certify that at an election of the qualified voters of Erie county, Pennsylvania, in company B, 148th regiment Pennsylvania volunteers, held in Fort Steadman, Virginia, on the 10th October, 1864, the above is a just and correct return.

JAMES F. WEAVER,
WILLIAM B. PETERS,
JOHN D. LUCAS,
Judges.

Attest:
SAMUEL C. SEAVOLT,
ALFRED C. MOORE,
Clerks.

Filed October 22, 1864.

No. 49.

Return of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Fulton county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll or their proper place of election, at No. 374 H street, Washington, D. C., being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the House of Representatives of the United States one (1) vote; of which William H. Koontz had one (1) vote.

A true return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

J. L. SLAGLE,
Capt. Co. D, 149th Reg. P. V.,
GEORGE P. CORTS, Capt.,
C. B. PEMROSE,
Captain and C. S. Vols.,
Judges of said Election.

Attest:
H. S. GODDARD, C. S. Vols.,
H. W. BOWALL, Capt. C. S. V.,
Clerks.

Number and names of the qualified electors of Fulton county, State of Pennsylvania, voting at the said election.

No. 1. James Pott, drafted man unassigned, borough of McConnellsburg.

Filed October 28, 1864.

STATE OF PENNSYLVANIA, *County of Fulton, ss:*

I, John A. Robinson, prothonotary of the court of common pleas in and for said county, do hereby certify that the foregoing pages contain a full and true copy of the returns filed in my office of soldiers' vote, as well as the names of the persons voting at the elections held on the second Tuesday of October, A. D. 1865, at the places named in the respective returns, as also the names of the election officers and clerks holding said election, together with the votes cast thereat for congressmen of the sixteenth congressional district of Pennsylvania, (being such returns only as were included by the board of return judges of said county in their computation of the soldiers' vote cast at said election for the candidates for congressman for the district aforesaid,) as the same appear from the said returns filed in the office of the prothonotary as aforesaid.

In testimony whereof, I have hereunto set my hand and affixed the seal of [L. S.] said court, at McConnellsburg, the 20th day of March, A. D. 1866.

JNO. A. ROBINSON,
Prothonotary.

I, John A. Robinson, commissioner to take testimony for Fulton county in the contest in the 16th congressional district of Pennsylvania, do hereby certify that the within copy of record of the soldiers' vote counted by the return judges of Fulton county was duly presented to me, and that I have examined the same and compared them with the original on file in the prothonotary's office for Fulton county, and find said copy of record to be a true copy. Certified this 7th day of May, A. D. 1866.

JNO. A. ROBINSON,
Commissioner.

In the matter of the contest by William H. Koontz, of the right of Alexander H. Coffroth to a seat in the Congress of the United States from the sixteenth district of Pennsylvania.

Record of testimony taken at Chambersburg, Pennsylvania, on ——— days of May, A. D. 1866, *pursuant to notice, in behalf of Alexander H. Coffroth, by George Eyster, a commissioner appointed by agreement of the parties.*

MAY 7, 1866.

J. McDowell Sharpe and James P. McClintock, esqs., appeared on behalf of Alexander H. Coffroth, and John Stewart, esq., for William H. Koontz.

Cephas L. Bard, a witness produced and sworn on the part of Alexander H. Coffroth, testified as follows, to wit: I reside in Chambersburg. On the 11th day of October, 1864, I was in the army in front of Petersburg, connected with the 210th regiment Pennsylvania volunteers as assistant surgeon. I became twenty-one years of age on the 7th of April, 1864, and voted at the election held in the regiment on the said 11th of October, on age.

John N. Paxton, a witness produced and affirmed on the part of Alexander H. Coffroth, testified as follows, to wit: I reside in Chambersburg. On the 11th of October, 1864, I was in camp near Greencastle, Pennsylvania, a member of the signal corps. I voted in camp on that day, and was then twenty-three years of age.

Nicholas Uglow, a witness produced and sworn on the part of Alexander H.

Coffroth, testified as follows, to wit: I reside in Chambersburg. On the 11th day of October, 1864, I was in the army in front of Petersburg, a member of the 208th regiment of Pennsylvania volunteers. I voted then and there. I am going on twenty-eight years of age.

Francis Ealy, a witness produced and affirmed on the part of Alexander H. Coffroth, testified as follows, to wit: I live in Chambersburg. On the 11th of October, 1864, I was at Pottsville, Pennsylvania, a member of company D, 21st regiment Pennsylvania cavalry. I voted then and there, and I was between twenty-two and twenty-three years of age.

William H. Butler, a witness produced and sworn on the part of Alexander H. Coffroth, testified as follows, to wit: I live in Chambersburg. I was at Pottsville, Pennsylvania, on the 11th day of October, 1864, a member of company D, 21st regiment Pennsylvania cavalry. I voted then and there. I was at that time between twenty-two and twenty-three years of age.

J. Newton Shillito, a witness produced and sworn on the part of Alexander H. Coffroth, testified as follows, to wit: I was one of the clerks of the election held in the south ward of the borough of Chambersburg on the 11th day of October, 1864. The paper produced, marked A A, is the actual tally-list kept on that occasion. It is in my own handwriting. Major John S. Schultze and Captain T. B. Swearingen voted. I do not know how they voted. Both were members of General Couch's staff, whose headquarters were at Chambersburg then. General Couch also voted.

Cross-examined: Messrs. Schultze, Swearingen, and Couch were each interrogated on oath by the judge of the election as to their residence, and stated that their residence was then in Chambersburg, in pursuit of their lawful calling.

James Reilly, a witness produced and sworn on the part of Alexander H. Coffroth, testified as follows, to wit: I reside in the south ward of Chambersburg, and was at the election held in said ward on the 11th day of October, 1864. I saw Major Burt, of General Couch's staff, vote at that election.

Objection.—The counsel for William H. Koontz objects to this evidence, because the individual referred to is not sufficiently identified, and there is no evidence that the name of Major Burt is on the tally-list produced.

Cross-examined: Major Burt voted inside the house. I was inside the house at the time, and was present when the vote was accepted by the election officers.

Dr. B. Rush Senseny, a witness produced and affirmed on the part of Alexander H. Coffroth, testified as follows, to wit: I reside in Chambersburg. I was in charge of the post hospital in Chambersburg on the 11th day of October, 1864. I knew General Couch, Major Schultz, Major Burt, and Captain Swearingen. General Couch was at that time commander of the department of the Susquehanna. He lived in Massachusetts. Major Schultze, Major Burt, and Captain Swearingen were members of the general's staff. Major Schultz lived in Danville, Major Burt in Massachusetts, and Captain Swearingen in Pittsburg. I know these military men were black republicans, and intended to vote that ticket. I never heard them say how they had voted.

Objection.—The counsel for William H. Koontz objects to this testimony, because it is not competent.

Isadore A. Stumbaugh, a witness produced and sworn on the part of Alexander H. Coffroth, testified as follows, to wit: I reside in Chambersburg. I was in Hazleton, Pennsylvania, on the 11th day of October, 1864, a member of company D, 21st regiment Pennsylvania cavalry. I did not vote at all on that day. I was then of age.

Manaris Hamelsine, a witness produced and sworn on the part of Alexander H. Coffroth, testified as follows, to wit: I live in the south ward of the borough of Chambersburg. On the 11th day of October, 1864, I was in front of Peters-

burg, a member of company D, 210th regiment Pennsylvania volunteers. I was well acquainted with the voters of the south ward of the borough of Chambersburg. I knew of no voter of the name of Hugh F. Gordon in said ward. I know Samuel C. Cormony and John A. Wingert. Cormony never had a residence in Chambersburg. He was in the army and belonged to the 16th regiment Pennsylvania cavalry. He told me he was going home on furlough, and would stop at Chambersburg to see some friends who lived there. I know of no such man as John A. Wingert belonging then or now to Chambersburg.

Hiram M. White, a witness produced and sworn on the part of Alexander H. Coffroth, testified as follows, to wit: I reside in Chambersburg. On the 11th day of October, 1864, I resided in the south ward of the borough of Chambersburg. I knew Major Schultze, Major Burt, and Captain Swearingen. These persons were in town as members of General Couch's staff. They were not citizens before this was a military department. They all voted on that day. Major Burt and Captain Swearingen advocated the republican ticket. I never heard Major Schultze speak on the subject.

Cross-examined: I do not know that the votes of these persons were accepted. My conversation with Burt and Swearingen was shortly before the election. I had no conversation with them about the congressional election.

Adjourned.

MAY 8, 1866.

J. McDowell Sharpe and James P. McClintock, esqrs., appeared on behalf of Alexander H. Coffroth and Frederick S. Stumbaugh, esq., for William H. Koontz.

William D. Guthrie, a witness produced and affirmed on the part of Alexander H. Coffroth, testified as follows, to wit: On the 11th day of October, 1864, I resided in the southward of the borough of Chambersburg. I was judge of the election held in that ward on that day. I was a member of the board of return judges for Franklin county. I was present at the meeting of the board of return judges on the day that they met to count the soldiers' vote, agreeably to the act of assembly. All returns of soldiers' vote presented us by the prothonotary were counted. I have no recollection that any were rejected. All were enclosed in the general enumeration of votes for Congress. I cannot identify the poll-books now presented to me, but have no recollection of any being rejected that were certified by the prothonotary. I think all were counted. There was some talk of rejecting some one or more returns, but it was decided to admit them. It was considered that it was our duty to count all the returns, and let the question of their legality be decided elsewhere.

John R. Orr, esq., a witness produced and sworn on the part of Alexander H. Coffroth, testified as follows, to wit: I am an attorney-at-law and a resident of Chambersburg. I acted as one of the clerks to the board of return judges in this county in 1864, after the October election. I so acted on the two occasions when the return judges met to count the soldiers' vote. Quite a number of returns of soldiers' vote were presented by the prothonotary. These were counted and enumerated in the number of votes certified as cast for Congress. I have no recollection that any were thrown out. The soldiers' vote was included in the certificate made out for the return judges from the other counties of the district. The soldiers' vote presented to the board by the prothonotary was counted and embraced in the return of votes cast for Congress in Franklin county at the October election in 1864.

Parol testimony closed.

J. McDowell Sharpe, esq., offers in evidence certified copies of poll-books numbered from one to sixteen, which are hereto attached, marked, respectively, A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.

Adjourned.

MAY 9, 1866.

J. McDowell Sharpe and James P. McClintock, esqrs., appeared on behalf of Alexander H. Coffroth, and John Stewart, esq., for William H. Koontz.

George O. Seilhamer, a witness produced and affirmed on behalf of Alexander H. Coffroth, testified as follows, to wit: On the 11th day of October, 1864, I was living in Chambersburg, and was acting as deputy prothonotary for Franklin county. There were sundry returns of votes cast by soldiers for Congress that year received at the office of the prothonotary. All these returns were laid before the board of return judges.

Objection.—The counsel for William H. Koontz object to all the testimony taken by the commissioner, for the reason that it pertains to matters not specifically averred in the answer of Alexander H. Coffroth.

Note.—No copy of the paper produced in evidence, and designated as marked A, A, has been made, certified and attached, because the original was withdrawn by the counsel who presented it.

I certify that the foregoing is a true record of the proceedings before me.

GEORGE EYSTER, *Commissioner.*

CHAMBERSBURG, PA., *May* 9, 1866.

No. 51.

A.

Poll-book (No. 1) of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of ——— ———, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company K, of the twenty-first regiment of Pennsylvania cavalry, held at Dismounted Camp, City Point, Virginia; Levi J. Graul, John P. Study, and Lieut. L. H. Henkle being duly elected judges of the said election, and John H. Logue and Capt. H. C. Phenicie being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, Levi J. Graul, John P. Study, and Lieut. L. H. Henkell, judges of this election, and John H. Logue and Capt. H. C. Phenicie, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

LEVI J. GRAUL,
JOHN P. STUDY,
Lieut. L. H. HENKLE,
Judges.

(No signatures.)
Clerks.

I hereby certify that the aforesaid —— ——, —— ——, and —— ——, judges, and —— —— and Capt. H. C. Phenicie, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

Lieut. L. H. HENKELL,
Judge of said Election.

I certify that Levi J. Graul, John P. Study, and L. H. Henkell, judges of election aforesaid, was also duly sworn according to law by me.

H. C. PHENICIE,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid —— to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

LEVI J. GRAUL,
JOHN P. STUDY,
Lieut. L. H. HENKELL,
Judges of said Election.

Attest:
JOHN H. LOGUE,
H. C. PHENICIE,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, towwship, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	William Cook	Franklin county	North ward, Chambersburg.
2	Michael Clem	do	Quincy township.
3	William H. Phoutz	do	South ward, Chambersburg.
4	Samuel Zymbro	do	St. Thomas township,
5	Philip L. Gardner	do	Greencastle.
6	Jeremiah Zimmerman	do	Waynesboro'.
7	John A. Heckman	do	St. Thomas township.
8	David Finefrock	do	Do.
9	James O. Cleary	do	Greencastle.
10	Henry Ruthrauff	do	Do.
11	John A. Barger	do	Peters township.
12	John McCormick	do	Do.
13	John Alexandria	do	Do.
14	Franklin Gamble	do	Fannet township.
15	Lewis W. Pike	do	Montgomery township.
16	A. Roland Detrich	do	St. Thomas township.
17	Valentine Hagy	do	Peters township.
18	Peter Brubaker	do	Antrim township.
19	John L. Zimmerman	do	Warren township.
20	Robert Mosellanor	do	Peters township.
21	William H. Raffensbarger	do	Hamilton township.
22	John Tarman	do	Quincy township.
23	Thomas Kennedy	do	Do.
24	John H. Dalebaum	do	Peters township.
25	John P. Study	do	Quincy township.
26	Levi J. Graul	do	Mercersburg.
27	John H. Logue	do	Greencastle.
28	L. H. Henkell	do	Montgomery township.
29	H. C. Phenicie	do	Do.
30	John H. Phreanor	do	Do.
31	Samuel Palmer	do	Antrim township.
32	William Wilders	do	Greencastle.

(No certificate filled out.)

For Congress, William H. Koontz, 20; Alexander H. Coffroth, 12.

For assembly, A. K. McClure, 23; Samuel Roath, 19; J. M. Sharp, 14; William S. Mitchell, 9.

For commissioner, Hugh B. Davison, 20; John Armstrong, 12.

For director of the poor, John H. Crisswell, 20; David J. Skinner, 12.
For auditor, Morrow R. Skinner, 20; Montgomery Martin, 12.
For coroner, Hiram E. Wertz, 20; Victor D. Miller, 12.
For president judge, Alexander King, 20; Francis M. Kimmel, 12.

Tally-paper or list of votes for each person voted for, at the said election, by the qualified voters of Franklin county, State of Pennsylvania.

For representative in the House of Representatives of the United States. William H. Koontz had twenty votes; Alexander H. Coffroth had twelve votes,

A true return of the election, held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

LEVI J. GRAUL.,
Company K, 21st Reg't —— Soldiers,
JOHN P. STUDY,
Company K, 21st Reg't —— Soldiers,
Lieut. L. H. HENKELL,
Company K, 21st Reg't —— Soldiers,
Judges of the said Election.

Attest: JOHN H. LOGUE,
H. C. PHENICIE,
Clerks.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas of Franklin county, State aforesaid, do certify that the foregoing is a true, full, and correct copy of the return of the election at Dismounted Camp, City Point, company K, 21st Pennsylvania cavalry, as the same remains on file in this office.

Witness my hand and the seal of said county this 8th day of May, A. D. 1866.
[SEAL.] K. S. TAYLOR, *Prothonotary.*

No. 52.

B.

Poll-book (No. 2) of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Franklin, Warren, Schuylkill, Lancaster, and Cumberland counties, State of Pennsylvania, being in actual military service, under the requisition of the President of the Unitd States, in company E, 21st regiment of Pennsylvania cavalry, held at company headquarters, Dismounted camp, near City Point, Virginia; Sergeant Thaddeus McMahon, Sergeant Charles Hope, and Private George W. Bowman, being duly elected judges of the said election, and Sergeant Thomas A. Blanchard and Daniel Finfrock being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, Sergeant Thaddeus McMahon, Sergeant Charles Hope, and Private George W. Bowman, judges of this election, and Sergeant Thomas A. Blanchard and Private Daniel H. Finfrock, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service,"

according to law, and to the best of our abilities, and we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

Serg't THADDEUS McMAHON,
Serg't CHARLES HOPE,
GEORGE W. BOWMAN,
Judges.
Serg't THOS. A. BLANCHARD,
DANIEL H. FINFROCK,
Clerks.

I hereby certify that the aforesaid Sergeant Charles Hope and George W. Bowman, judges, and Sergeant Thomas A. Blanchard and Daniel H. Finfrock, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

Serg't THADDEUS McMAHON,
Judge of said Election.

I certify that Sergeant Thaddeus McMahon, judge of election aforesaid, was also duly so sworn according to law by me.

GEORGE W. BOWMAN,
Judge of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid company headquarters to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

Serg't THADDEUS McMAHON,
Serg't CHARLES HOPE,
GEORGE W. BOWMAN,
Judges of said Election.

Attest:
Serg't THOS. A. BLANCHARD,
DANIEL H. FINFROCK,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	William B. Gill	Franklin county	Green township.
2	Simon Stake	do	Hamilton township.
3	Thomas McKee	do	Green township.
4	Henry Ulerick	do	Do.
5	Henry Cover	do	Southampton township.
6	Henry B. Kindig	do	Do.
7	Peter Gockley	do	Green township.
8	George W. Bowman	do	Montgomery township and Mercersburg.
9	Thaddeus McMahon	do	Green township.
10	Theodore Colby	do	Do.
11	Danie H. Finfrock	do	Chambersburg, north ward.
12	Oscar F. Bowers	Warren county	Sheffield township.
13	Samuel M. Howard	Cumberland county	Shippensburg borough.
14	Abner J. Pearson	Lancaster county	Lancaster city, NW. ward.
15	Martin V. B. Caho	Schuylkill county	Pottsville, south ward.
16	Thomas A. Blanchard	Warren county	Sheffield township.
17	Andrew Lockwood	do	Pittsfield township.
18	James O. Alexander	Franklin county	Green township.
19	John A. Ritcheson	do	Do.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of Franklin, Warren, Schuylkill, Lancaster and Cumberland counties, State of Pennsylvania, voting at the said election, amounts to nineteen votes.

Witness our hands the day and year aforesaid.

Serg't THADDEUS McMAHON,
Serg't CHARLES HOPE,
Private GEORGE W. BOWMAN,
Judges of the Election.

Attest:

Serg't THOS. A. BLANCHARD,
DANIEL H. FINFROCK,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election, by the qualified voters of Franklin, Warren, Schuylkill, Lancaster, and Cumberland counties, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz, Franklin county, had nine votes; Alexander H. Coffroth had four votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

Witness our hands the day and year aforesaid.

Serg't THOS. A. BLANCHARD,
DANIEL H. FINFROCK,
Clerks.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas in and for said county, do certify that the foregoing pages contain a true and correct copy of the election returns at the election within named, so full and entire as the same on file in this office.

Witness my hand and the seal of said court this 8th day of May, A. D. 1866.

[SEAL.] K. S. TAYLOR, *Prothonotary.*

No. 53.

C.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Franklin, Perry, Venango, and Fayette counties, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company H, of the sixteenth regiment of Pennsylvania cavalry, held at Poplar Grove church, Virginia; Edgar D. Washabaugh, John Woodall, and George W. Earich being elected judges of the said election, and Jerome Coble and George A. Smith being appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, Edgar D. Washabaugh, John Woodall, and George W. Earich, judges of this election, and Jerome Coble and George A. Smith, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of

Pennsylvania entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

EDGAR D. WASHABAUGH,
JOHN WOODALL,
GEORGE W. EARICH,
Judges.

JEROME COBLE,
GEORGE A. SMITH,
Clerks.

I hereby certify that the aforesaid Edgar D. Washabaugh, John Woodall, and George W. Earich, judges, and Jerome Coble and George A. Smith, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

EDGAR D. WASHABAUGH,
Judge of said Election.

I certify that Edgar D. Washabaugh, judge of election aforesaid, was also duly so sworn according to law by me.

Witness my hand the date above written.

GEORGE A. SMITH,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten did select the aforesaid Poplar Grove church, Virginia, to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

EDGAR D. WASHABAUGH,
JOHN WOODALL,
GEORGE W. EARICH,
Judges of the Election.

Attest:
GEORGE A. SMITH,
JEROME COBLE,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	A. J. Snyder	Franklin county	Chambersburg, north ward.
2	S. B. Barnes	do.	Do. do.
3	Vincent Flickinger	do.	Guilford.
4	John Woodall	do.	St. Thomas.
5	G. W. Earick	Perry county	Penn.
6	John F. Metz	Franklin county	Guilford township.
7	Jacob R. Petterhoff	do.	Do.
8	H. A. Flannagan	do.	Do.
9	Jacob Stump	Perry county	Saville township.
10	Samuel H. McNaughton	Venango county	Corn Plaster township.
11	Jerome Coble	Franklin county	St. Thomas township.
12	H. M. Ulery	Fayette county	Salt Lick township.
13	John M. Ullery	do.	Do.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of Franklin, Perry, Venango, and Fayette counties, State of Pennsylvania, voting at said election, amounts to eight for Franklin, two for Perry, one for Venango, two for Fayette. Witness our hands the day and year aforesaid.

EDGAR D. WASHABAUGH,
JOHN WOODALL,
GEORGE W. EARICH,
Judges of the Election.

Attest:
JEROME COBLE,
GEORGE A. SMITH,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Franklin county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had four (4) votes; Alexander H. Coffroth had four (4) votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

JEROME COBLE,
GEORGE A. SMITH,
Clerks.

Return of the election.

At an election held by the electors of Franklin, Perry, Venango, and Fayette counties, in company H, of the 16th regiment of Pennsylvania soldiers, at Poplar Grove church, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, for the county of Franklin, eight votes: Alexander H. Coffroth had four (4) votes; William H. Koontz had four (4) votes.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

EDGAR D. WASHABAUGH,
JOHN WOODALL,
GEORGE W. EARICH,
Judges of the said Election.

Attest:
JEROME COBLE,
GEORGE A. SMITH,
Clerks.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas in and for said county, do certify that the foregoing pages contain a true and correct copy of the election returns at the election within named, so full and entire as the same remains on file in this office.

[SEAL.] Witness my hand and the seal of said court this 8th day of May, A. D. 1866.

K. S. TAYLOR, *Prothonotary.*

No. 54.

D.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of the State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company A of the first regiment of Pennsylvania light artillery, in the field near Chapin's farm, Virginia, on the 11th day of October, 1864; Samuel S. Martin, James M. Craft, and Benjamin M. Fall being duly elected judges of the said election, and Jefferson Sauser and William R. Brown being duly appointed clerks of said election, being all severally sworn.

Oaths of the judges and clerks.

We, Samuel S. Martin, James M. Craft, and Benjamin McFalls, judges of this election, and Jefferson Sauser and William R. Brown, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

S. D. MARTIN,
2d Lt. Bat. A, 1st Pa. Lt. Art.,
J. M. CRAFT,
BENJAMIN McFALLS,
Judges.
JEFF. SAUSER,
WILLIAM R. BROWN,
Clerks.

I hereby certify that the aforesaid James M. Craft and Benjamin McFalls, judges, and Jefferson Sauser and William R. Brown, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

S. D. MARTIN,
Judge of said Election.

I certify that Samuel S. Martin, judge of election aforesaid, was also duly sworn according to law by me.

JEFF. SAUSER,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid headquarters battery A, first Pennsylvania light artillery, to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

S. D. MARTIN,
J. M. CRAFT,
BENJAMIN McFALLS,
Judges of said Election.

Attest:
JEFFERSON SAUSER,
WILLIAM R. BROWN,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Simon Shatzley	Franklin county	Chambersburg borough.
2	Asa Weaviner	Tioga county	Selmer township.
3	George R. Tritte	Franklin county	Peters township.
4	John Burkholder	Lycoming county	Mifflin township.
5	Hiram Weaviner	Tioga county	Selmer township.
6	Samuel Baets	Cumberland county	*Westpronland* township.
7	George W. Bennett	Susquehanna county	Gibson township.
8	Charles Mehring	Lycoming county	Jersey Shore borough.
9	William Weston	Franklin county	Chambersburg borough.
10	Samuel B. Bagley	Susquehanna county	Harmony township.
11	James W. Miller	Lycoming county	Jersey Shore borough.
12	Henry S. Barr	Schuylkill county	Pine Grove township.
13	Anthony Gressley	York county	York borough, 5th ward.
14	George Gressley	do	Do. do.
15	Jacob Bricker	Franklin county	Montgomery township.
16	Henry Burkholder	Lycoming county	Mifflin township.
17	John H. Kline	do	Jersey Shore borough.
18	James H. Daniels	Susquehanna county	Gibson township.
19	Nelson Snyder	Luzerne county	Blakely township.
20	Azarius L. Daniels	Susquehanna county	Lennox township.
21	Thomas L. Daniels	do	Do.
22	Thomas Ball	do	Thomson township.
23	John Loy	York county	York borough, 5th ward.
24	Cyrus S. Chapman	Tioga county	Sullivan township.
25	Alex. C. Leyde	Lawrence county	Pulaski township.
26	Charles Lynn	Dauphin county	Middletown borough, middle ward.
27	William H. Lawrence	Franklin county	Guilford township.
28	William Brooks	Adams county	Hamiltonban township.
29	Gilbert M. Arnold	Luzerne county	Scott township.
30	John O'Connell	do	Hyde Park borough.
31	Samuel S. Martin	Adams county	Berwick borough.
32	William Stitt	Franklin county	Mercersburg borough.
33	Alexander Duff	Lawrence county	North Beaver township.
34	William R. Brown	Clearfield county	Clearfield borough.
35	Jefferson Sauser	Schuylkill county	Pine Grove borough.
36	James M. Craft	Susquehanna county	Gibson township.
37	Frederick M. Tenent	do	Ararat township.

It is hereby certified by us that the above list of electors, voting at the said election, is correct, and that the number of electors of Franklin and Adams counties, State of Pennsylvania, voting at the said election amounts to eight.

Witness our hands the day and year aforesaid.

S. D. MARTIN,
J. M. CRAFT,
BENJAMIN McFALLS,
Judges of the Election.

Attest:

JEFFERSON SAUSER,
WILLIAM R. BROWN,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Franklin and Adams counties, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had eight (8) votes.

We hereby certify that the aforesaid tally-paper list of votes is correct. Witness our hands the day and year aforesaid.

JEFFERSON SAUSER,
WILLIAM R. BROWN,
Clerks.

Return of the election.

At an election held by the electors of Franklin and Adams counties, in company A of the first light artillery regiment of Pennsylvania soldiers, at camp, near Chapin's farm, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast twenty-eight votes.

For representative in the House of Representatives in the Congress of the United States, there were cast eight votes, of which William H. Koontz had eight votes.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

S. D. MARTIN,
Co. A, 1st Lt. Art. Reg't Pa. Soldiers,
J. M. CRAFT,
Co. A, 1st Lt. Art. Reg't Pa. Soldiers,
BENJAMIN McFALLS,
Co. A, 1st Lt. Art. Reg't Pa. Soldiers,
Judges of the said Election.

Attest:
JEFFERSON SAUSER,
WILLIAM R. BROWN,
Clerks.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas in and for said county and State, do certify that the foregoing papers contain a full, true, and correct copy of the election returns at the election within named, so full and entire as the same remains on file in this office.

Witness my hand and seal this eighth day of May, A. D. eighteen hundred and sixty-six.

[SEAL.]

K. S. TAYLOR, *Prothonotary.*

No. 55.

E.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of ——, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company L, of the 21st regiment of Pennsylvania cavalry, held at headquarters, company L, near City Point, Virginia, John T. Pfoutz, William F. Selsor, and Peter S. Hepfer being duly elected judges of the said election, and F. W. Shinnefield and P. R. Welsh being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, J. T. Pfoutz, W. F. Selsor, and Peter S. Hepfer, judges of this election, and F. W. Shinnefield and P. R. Welsh, clerks thereof, do each severally affirm that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law, and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

WILLIAM F. SELSOR,
PETER S. HEPFER,
JOHN T. PFOUTZ,
Judges.
F. W. SHINNEFIELD,
P. R. WELSH,
Clerks.

I hereby certify that the aforesaid J. T. Pfoutz, W. F. Selsor, and Peter S. Hepfer, judges, and F. W. Shinnefield and P. R. Welsh, clerks, were, before proceeding to take any votes at the said election, first duly affirmed as aforesaid by me.

Witness my hand this eleventh day of October, A. D. 1864.

———— ————,
Judge of the said Election.

I certify that John T. Pfoutz, judge of election aforesaid, was also duly so affirmed according to law by me.

Witness my hand the date above written.

P. R. WELSH,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid to be the place for opening a poll for the said election at headquarters, company L, 21st Pennsylvania cavalry.

Witness our hands the day and year aforesaid.

WILLIAM F. SELSOR,
PETER S. HEPFER,
JOHN T. PFOUTZ,
Judges of said Election.

Attest:
F. W. SHINNEFIELD,
P. R. WELSH,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Henry H. Longsdorf	Lycoming county	Loyalsock township.
2	George W. Shatzer	Franklin county	Hamilton township.
3	David Hysong	do	Chambersburg, north ward.
4	John W. Riffle	do	Green township.
5	Jacob Immell	do	Do.
6	Cyrus F. Kelly	do	Hamilton township.
7	John F. Hecter	do	Metal township.
8	David Warren	do	Southampton township.
9	George W. Kinsel	do	Quincy township.
10	Hiram Shoeman	do	Hamilton township.
11	Henry Bowers	do	Chambersburg, south ward.
12	Samuel Easton	do	Guilford township.
13	Henry Keagy	do	Chambersburg, south ward.
14	Adam Kadel	do	Green township.
15	James Fegan	do	Fannet township.
16	Henry S. Weaver	do	Guilford township.
17	Jeremiah Weaver	do	Do.
18	John W. Shimnafield	do	Chambersburg, north ward.
19	F. W. Shimnafield	do	Chambersburg, south ward.
20	Philip R. Welsh	do	Washington township.
21	William F. Selsor	do	Peters township.
22	James Cline	do	Do.
23	Wm. H. H. Wilson	do	Metal township.
24	Peter S. Hepfer	do	Guilford township.
25	Isaac Rupp	Cumberland county	Hampden township.
26	Christian Michaels	Franklin county	Chambersburg, south ward.
27	John F. Pfoutz	do	Guilford township.
28	John Kadel	do	Green township.
29	Jacob Sharar	do	Peters township.
30	William Stalliper	do	Warren township.
31	John M. Addington	do	Peters township.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of ——— county, State of Pennsylvania, voting at the said election, amounts to ——.

Witness our hands the day and year aforesaid.

———— ————,
———— ————,
———— ————,

Judges of the Election.

Attest:

———— ————,
———— ————,

Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of ——— county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had fourteen (14) votes; A. H. Coffroth had thirteen (13) votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

Witness our hands the day and year aforesaid.

———— ————,
———— ————,

Clerks.

Return of the election.

At an election held by the electors of ——— county, in company —, of the —— regiment of Pennsylvania soldiers, at ———, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States —— votes; of which William H. Koontz had —— votes; Alexander Coffroth had —— votes.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

WILLIAM F. SELSOR,
Company L, 21st Reg. Pa. Cav. Sol.,
PETER S. HEPFER,
Company L, 21st Reg. Pa. Cav. Sol.,
JOHN T. PFOUTS,
Company L, 21st Reg. Pa. Cav. Sol.,
Judges of the said Election.

Attest:
F. W. SHENNAFIELD,
P. R. WELSH,
Clerks.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas in and for said county and State, do certify that the foregoing pages contain a true and correct copy of the returns of the election within named, so full and entire as the same remains on file in this office.

Witness my hand and seal this 8th day of May, A. D. 1866.

[SEAL.]

K. S. TAYLOR, *Prothonotary.*

No. 56.

F.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of the one hundred and sixty-second regiment volunteers, State of Pennsylvania, being in actual military service, under the requisition of the President of the United States, in company E, of the seventeenth regiment of Pennsylvania cavalry, at Winchester, Virginia; John Peiffer, Samuel Yeingst, and Levi Loux being duly elected judges of the said election, and Jacob A. Loose and Cyrus J. Beichy being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of judges and clerks.

We, John Peiffer, Samuel Yeingst, and Levi Loux, judges of this election, and Jacob A. Loose and Cyrus J. Beichy, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military

service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

JOHN PEIFFER,
LEVI LOUX,
SAMUEL YEINGST,
Judges.

JACOB A. LOOSE,
CYRUS J. BEICHY,
Clerks.

I hereby certify that the aforesaid John Peiffer, Samuel Yeingst, and Levi Loux, judges, and Jacob A. Loose, and Cyrus J. Beichy, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

JOHN PEIFFER,
Judge of said Election.

I certify that John Peiffer, judge of election aforesaid, was also duly so sworn according to law by me.

JACOB A. LOOSE,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid quarters, Winchester, Virginia, to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

JOHN PEIFFER,
LEVI LOUX,
SAMUEL YEINGST,
Judges of said Election.

Attest:
JACOB A. LOOSE,
CYRUS J. BEICHY,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Andrew G. Dick	Franklin county	Antrim township.
2	David Frederick	do	Do.
3	Henry Frederick	do	Do.
4	William Row	do	Do.
5	Jacob Stull	do	Windsor township.
6	David Miller	do	Washington township.
7	John Metz	do	Waynesborough.
8	George Ruths	do	Do.

It is hereby certified by us that the above list of electors voting at the said election, is correct and that the number of electors of Franklin county, State of Pennsylvania, voting at the said election, amounts to eight.

Witness our hands the day and year aforesaid.

JOHN PEIFFER,
SAMUEL YEINGST,
LEVI LOUX,
Judges of the said Election.

Attest:

JACOB A. LOOSE,
CYRUS J. BEICHY,
Clerks of the Election.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Franklin county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koonty had seven votes; Alexander H. Coffroth had one vote.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

JACOB A. LOOSE,
CYRUS J. BEICHY,
Clerks.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas in and for said county and State, do certify that the foregoing pages contain a full, true, and correct copy of the election returns at the election therein named, as the same remains on file in this office.

[SEAL.] Witness my hand and seal of the said court, this 8th day of May, A. D. 1866.

K. S. TAYLOR, *Prothonotary.*

No. 57.

G

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Franklin county, in the State of Pennsylvania, in the actual military service under the requisition of the President of the United States, and being unable to attend any other place of election, this election being held at Mower United States army general hospital, which place the said electors, being present, have selected for opening a poll, and certify herein; William H. Turner, W. Martin, and W. S. Bowman being then and there duly elected judges of the said election, and W. A. Calderwood and R. J. Edward being duly appointed clerks of the same, and having been duly sworn or affirmed according to law.

W. H. TURNER,
W. S. BOWMAM,
WILKIE MARTIN,
Judges
W. A. CALDERWOOD,
R. J. EDMUND,
Clerks.

Number and names of the electors voting at the said election who are residents of Franklin county, with their city, borough, township, ward, or precinct.

No.	Names of electors voting.	City, borough, ward, township, or precinct.
1	H. C. Crowl.....	Fannet township.

Tally-paper or list of votes and returns for each person voted for at the said election by the qualified voters of Franklin county.

For representative in the House of Representatives in the Congress of the United States, William H. Koontz had one vote.

We hereby certify that the aforesaid tally-papers, list of voters, and return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid, is correct and a true return thereof.

W. H. TURNER,
W. S. BOWMAN,
WILKIE MARTIN,
Judges of said Election.

Attest:
W. A. CALDERWOOD,
R. J. EDMUND,
Clerks.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas in and for said county, do certify that the foregoing pages contain a true and correct copy of the election returns at the election within named, so full and entire as the same remains on file in this office.

[SEAL.] Witness my hand and the seal of said court this 8th day of May, A. D. 1866.

K. S. TAYLOR, *Prothonotary.*

No. 58.

H.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Franklin county, in the State of Pennsylvania, being in the actual military service under the requisition of the President of the United States, in company E, 149th Pennsylvania volunteers, held near the "Yellow House," Weldon railroad, Virginia, and of which James W. Irwin, Hiram H. Hawk, and George H. Luzier were duly elected judges of said election, and Christian Larrich and Hesley H. Shirey were duly appointed clerks of said election, being all and severally sworn according to the certificates herewith returned.

WESLEY H. SHIREY,
CHRISTIAN LARRICH,
Clerks.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Franklin county, State of Pennsylvania.

For Congress, William H. Koontz had four votes.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas in and for said county and State, do certify that the foregoing page contains a true and correct copy of the election returns at the election within named so full and entire as the same remains on file in this office.

[SEAL.] Witness my hand and the seal of said court this 8th day of May, A. D. 1866.

K. S. TAYLOR, *Prothonotary.*

No. 59.

I.

Poll-book of the election held on the second Tuesday of October, one thousand eight hundred and sixty-four, by the qualified electors of the 16th congressional district, State of Pennsylvania, in the actual military or naval service under the requisition of the President of the United States, and being unable to attend any company poll, or other place of election; this election being at Lincoln general hospital, in the District of Columbia, which place they, the said electors, being present, have selected for opening a poll for the said election, and certify herein; P. B. Curry, John Harris, Andrew M. Graver being then and then duly elected judges of said election, and H. R. Robinson, J. C. Mac Lauren being duly appointed clerks of said election, and being all severally sworn or affirmed according to the certificates herewith returned.

Oaths and affirmations of the judges and clerks.

We, P. B. Curry, J. Harris, and Andrew M. Graver, judges of this election and H. R. Robinson and J. C. Mac Lauren, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of said election, severally acting as above set forth, according to law and to the best of our abilities, and that we will studiously endeavor to present fraud, deceit, or abuse in conducting the same.

PETER B. CURRY,
J. HARRIS,
A. M. GRAVER,
Judges.
J. P. ROBINSON,
J. C. MAC LAUREN,
Clerks.

I hereby certify that John Harris and Andrew M. Graver, judges, and H. R. Robinson and J. C. Mac Lauren, clerks, were, before proceeding to take any vote at said election, first duly sworn as aforesaid.

Witness my hand this 11th day of October, A. D. one thousand eight hundred and sixty-four.

PETER B. CURRY,
Judge of Election.

I certify that P. B. Curry, judge aforesaid, was also so sworn by me. Witness my hand the date before written.

H. R. ROBINSON,
Clerk of Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid Lincoln general hospital to be the place for opening a poll for the said election.

PETER B. CURRY,
J. HARRIS,
A. M. GRAVER,
Judges of the said Election.

Attest:
H. R. ROBINSON,
B. C. MAC LAUREN,
Clerks.

Number and names of the qualified electors of the sixteenth congressional district, State of Pennsylvania, voting at said election.

No.	Names of electors.	County.	Township, borough, ward, or precinct.
1	Thomas Kissel	Franklin	St. Thomas.
2	Frederick Hoffman	....do	Washington.
3	George H. Dean	....do	Chambersburg.
4	R. N. Shillington	Bedford	Snake Spring.
5	James Corl	....do	Union.
6	J. Rowel	Somerset	Jenner.

It is hereby certified by us that the aforesaid list of electors voting at said election is correct, and that the number of electors of the sixteenth congressional district, State of Pennsylvania, voting at this election, amounts to six (6) votes. Witness our hands the day and year aforesaid.

PETER B. CURRY,
J. HARRIS,
A. M. GRAVER,
Judges of the Election.

Attest:
J. R. ROBINSON,
J. C. MAC LAUREN,
Clerks.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of the sixteenth congressional district, State of Pennsylvania.

For representative in the House of Representatives of the United States, W. H. Koontz had six votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

H. R. ROBINSON,
J. C. MAC LAUREN,
Clerks.

Returns of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of the 16th congressional district, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll or their proper place of election, at Lin-

coln general hospital, being the place selected by the said electors for opening the poll for this election, there was cast—

For representative in the House of Representatives of the United States six votes; of which Wm. H. Koontz had six votes.

A true copy of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

PETER B. CURRY,
J. HARRIS,
A. M. GREAVER,
Judges of the Election.

Attest:
H. R. ROBINSON,
J. C. MACLAUREN,
Clerks.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas of said county and State, do certify that the foregoing pages contain a true and correct copy of the election returns at the election within named so full and entire as the same remains on file in this office.

Witness my hand and the seal of said court this 8th day ———, A. D. 1866.

[SEAL.] K. S. TAYLOR, *Prothonotary.*

No. 60.

J.

Poll-book of the election held on the second Tuesday of October, in the year one thouand eight hundred and sixty-four, by the qualified electors of Franklin county, State of Pennsylvania, being in actual military service under the requisition of the President of the United States, in company B, of the 148th regiment of Pennsylvania volunteers, held at Fort Steedman, near Petersburg, Virginia, James F. Weaver, John D. Lucas, and William B. Peters being duly elected judges of the said election, and Alfred C. Moore and Samuel C. Seavolt being duly appointed clerks of said election, being all severally sworn according to the certificates herewith returned.

Oaths of the judges and clerks.

We, James F. Weaver, John D. Lucas, and William B. Peters, judges of this election, and Alfred C. Moore and Samuel C. Seavolt clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election, severally acting as set forth in the act of the general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same.

JAS. F. WEAVER,
JOHN D. LUCAS,
WILLIAM B. PETERS,
Judges.
SAMUEL C. SEAVOLT,
ALFRED C. MOORE,
Clerks.

I hereby certify that the aforesaid James F. Weaver, John D. Lucas, and William B. Peters, judges, and Alfred C. Moore and Samuel C. Seavolt, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this 11th day of October, A. D. one thousand eight hundred and sixty-four.

JAMES T. WEAVER,
Judge of said Election.

I certify that James F. Weaver, judge of election aforesaid, was also duly so sworn according to law by me.

Witness my hand the date above written.

SAMUEL C. SEAVOLT,
Clerk.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid to be the place for opening a poll for the said election.

Witness our hands the day and year aforesaid.

JAS. F. WEAVER,
WILLIAM B. PETERS,
JOHN D. LUCAS,
Judges of said Election.

Attest:
SAMUEL C. SEAVOLT,
ALFRED C. MOORE,
Clerks.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Jacob Kriner.....	Franklin county.....	Antrim township.

We certify that an election of the qualified voters of Franklin county, Pennsylvania, in company B, 148th Pennsylvania volunteer soldiers, in the service of the United States, the above is a just and correct return.

JAS. F. WEAVER,
_____ _____,
_____ _____,
Judges.

_____ _____,
_____ _____,
Clerks.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Franklin county, State of Pennsylvania.

For representative in the House of Representatives of the United States, William H. Koontz had one vote.

We certify that at an election of the qualified voters of the county of Franklin, State of Pennsylvania, in company B, 148th Pennsylvania volunteers, on the 11th October, 1864, the foregoing is a just and correct tally or return.

JAS. F. WEAVER,
JOHN D. LUCAS,
WILLIAM B. PETERS,
Judges.

SAMUEL C. SEAVOLT,
ALFRED C. MOORE,
Clerks

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas of said county and State, do certify that the foregoing pages contain a true and correct copy of the election returns at the election within named so full and entire as the same remains on file in this office.

[SEAL.] Witness my hand and the seal of said court this 8th day of May, A. D. 1866.

K. S. TAYLOR, *Prothonotary.*

No. 61.

K.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four by the qualified electors of the ———, State of Pennsylvania, being in military service under the requisition of the President of the United States, in company B of the 210th regiment of Pennsylvania volunteers, held at camp, near Petersburg; and Joseph Venetta and Levy H. Priest and Charles A. Kurtz being duly elected judges of the said election, and William C. Andrews and William J. Thomas being duly appointed clerks of said election, being all severally sworn, according to certificates herewith returned, and proceed to hold said election according to act of assembly making provision for the soldiers to vote in the service of the United States.

Oaths of the judges and clerks.

We, Joseph Venetta and Levi H. Priest and Charles A. Kurtz, judges of this election, and William C. Andrews and William J. Thomas, clerks thereof, do each severally swear that we will duly perform the duties of judges and clerks of the said election severally acting as set forth in the act of general assembly of Pennsylvania, entitled "An act to regulate elections by soldiers in actual military service," according to law, and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, and abuse in conducting the same.

L. H. PREIST,
JOSEPH VENATTA,
CHARLES A. KURTZ,
Judges.
WILLIAM C. ANDREWS,
WILLIAM J. THOMAS,
Clerks.

I hereby certify that the aforesaid Joseph Venatta and Levi H. Priest and Charles A. Kurtz, judges, and William C. Andrews and William J. Thomas, clerks, were, before proceeding to take any votes at said election, first duly sworn as aforesaid by me.

Witness my hand this eleventh day of October, A. D. one thousand eight hundred and sixty-four.

———— ————,
Judge of said Election.

I certify that Charles A. Kurtz, judge of election aforesaid, was also duly so sworn, according to law, by me.

Witness my hand the date above written.

WILLIAM C. ANDREWS,
Clerk of said Election.

We hereby certify that the aforesaid electors present, being more than ten, did select the aforesaid place, to wit, headquarters of Lieutenant W. B. Evans, to be the place to opening a poll for the said election.

Witness my hand the date above written.

L. H. PREIST,
JOSEPH VENATTA,
CHARLES A. KURTZ,
Judges of the said Election.

Attest:
WILLIAM C. ANDERSON,
WILLIAM J. THOMAS,
Clerks.

Franklin county: for Congress, William H. Koontz had one vote.

We hereby certify that the aforesaid tally-paper and list of votes is correct. Witness our hands the day and year aforesaid.

WILLIAM C. ANDERSON,
WILLIAM J. THOMAS,
Clerks.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas, in and for said county, do certify that the foregoing pages contain a true and correct copy of the election returns at the election within named, so full and entire as the same remains on file in this office.

[SEAL.] Witness my hand and the seal of said court at Chambersburg, this 8th day of May, A. D. 1866.

K. S. TAYLOR, *Prothonotary.*

No. 62.

L.

Return of the election.

At an election held by the electors of Franklin, Bedford, Fulton, Huntingdon, Cambria counties, in company H, of the 208th regiment of Pennsylvania soldiers, at Captain Haney Wishart's quarters in camp, army of the James, Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast by electors of Franklin county two votes for W. H. Koontz for congressman.

The foregoing is a true return of votes cast by the electors of Franklin county in company H, 208th Pennsylvania volunteers, as will more fully appear on company poll-books sent to secretary of state and prothonotary of Bedford county, certified by us the day and year aforesaid.

WM. G. EICHOLTZ,
1st Lieut. Co H, 208th Regiment,
J. C. LONG,
Co. H, 208th Regiment Pennsylvania Vol.,
ROBERT N. SHIMER,
Co. H, 208th Regiment Pennsylvania Vol.,
Judges of the said Election.

JOSEPH FRY,
JOHN H. WILT,
Clerks.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas of said county, in said State, do certify that the election returns within contained is a true and correct copy of the original, so full and entire as the same remains on file in this office.

Witness my hand and seal of the said court at Chambersburg, this 8th day May, A. D. 1866.

[SEAL.] K. S. TAYLOR, *Prothonotary.*

No. 63.

M.

CHAPIN'S FARM, VA.,
October 12, 1864.

We hereby certify that the list below of electors voting at the election held October 11, 1864, is correct, and that the number of electors of Franklin county, State of Pennsylvania, voting at said election, amounts to two.

Witness our hands the day and year aforesaid.

J. M. BORREL, Co. B, 203,
BENJ. BROOKE, Co. B, 203,
G. R. VANGANT, Co. B, 203,
Judges of the said Election.

Attest:
EBER LEWIS, Jr.,
JAS. P. BOON,
Clerks.

Names of electors voting.

J. McGinley Wilhelm, Franklin county, Metal township.
H. Rufus Noble, Franklin county, Metal township.
Congress: Wm. K. Koontz received two votes.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, do certify that the within is a true copy of the election returns of the election within named, so full and entire as the same remains on file in the court of common pleas of said county and State, of which I am prothonotary.

In witness whereof, I hereunto set my hand and the seal of the said court at Chambersburg, this 8th day of May, A. D. 1866.

[SEAL.] K. S. TAYLOR, *Prothonotary.*

No. 64.

N.

CAMP HAMILTON, NEAR FORT MONROE, VIRGINIA,
October 11, 1864.

We, the undersigned, judges of an election held at Camp Hamilton, near Fort Monroe, Virginia, do certify that the enclosed ballots were cast by qualified voters of Franklin county, State of Pennsylvania. Poll-book now in hands of the secretary of the commonwealth of Pennsylvania.

DANIEL BAILEY,
G. W. KELTS,
WM. HARPER,
Judges.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas of said county and State, do certify that the above is a true and correct copy of the original return on file in this office, so full and entire as the same remains on file.

Witness my hand and the seal of said court at Chambersburg this 8th day of May, A. D. 1866.

[SEAL.] K. S. TAYLOR, *Prothonotary.*

No. 65.

O.

Poll-book of the election held on the second Tuesday of October, in the year one thousand eight hundred and sixty-four, by the qualified electors of Franklin county, State of Pennsylvania, being in actual military service, under the requisition of the President of the United States, in company G, 200th regiment Pennsylvania volunteers, held at camp near City Point, Virginia, Joseph Peters, David Hyde, and Charles Stewart being duly elected judges of the said election, and J. Amos Miller and James L. Poston being duly appointed clerks of said election, being all severally sworn according to the certificate herewith returned.

Number and names of the electors voting at the said election, and their count city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County.	Township.
1	J. Amos Miller	Franklin	Hamilton.
2	David Wallace	do	Green.

We hereby certify that the above list of electors voting at the said election is correct, and that the number of electors of Franklin county, State of Pennsylvania, voting at the said election amounts to two votes.

Witness our hands the day and year aforesaid.

JOSEPH A. PETERS,
DAVID HYDE,
CHARLES STEWART,
Judges.

Attest:
J. AMOS MILLER,
JAMES L. POSTON,
Clerks.

Tally-paper or list of votes for each person voted for at the said election by the qualified voters of Franklin county, State of Pennsylvania.

For Congress, William H. Koontz had 2 votes.

We hereby certify that the aforesaid tally-paper and list of votes is correct.

Witness our hands the day and year aforesaid.

J. AMOS MILLER,
JAMES L. POSTON,
Clerks.

Return of the election.

At an election by the electors of Franklin county, in company G, 200th regiment Pennsylvania soldiers, at camp near City Point, Virginia, held on the second Tuesday of October, one thousand eight hundred and sixty-four, there were cast for Congress two votes, of which William H. Koontz had two votes.

A true return of the election held as aforesaid on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

JOSEPH A. PETERS,
Company G, 200th Reg't —— Soldiers,
DAVID HYDE,
Company G, 200th Reg't —— Soldiers,
CHARLES STEWART,
Company G, 200th —— Soldiers,

Attest:
J. AMOS MILLER,
JAMES L. POSTON,
Clerks.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas of said county and State, do certify that the foregoing pages contain a true copy of the election returns at the within election, so full and entire as the same remains on file in this office.

Witness my hand and the seal of said court this 8th day of May, A. D. 1866.
[SEAL.] K. S. TAYLOR, *Prothonotary.*

No. 66.

P.

At an election held by the electors of company G, 205th regiment Pennsylvania volunteers, at Camp Old Court House, near City Point, Virginia, there were fifty-one votes cast for the office of Congress; of which William H. Koontz had six votes; H. Alexander Coffroth had three votes.

A true return of the election held as aforesaid, on the eleventh day of October, anno Domini one thousand eight hundred and sixty-four.

J. M. STAUBER,
——,
Privates in Company G, 205th Reg't Pa. Volunteers,
Judges of the Election.

Attest:
JOHN S. HERENCANE,
JAS. G. KENDALL.

Franklin county: Congress, Wm. H. Koontz, 6; H. A. Coffroth, 3.

STATE OF PENNSYLVANIA, *County of Franklin, ss:*

I, K. S. Taylor, prothonotary of the court of common pleas of said county and State, do certify that the within is a true and correct copy of the election

returns of the election within named, so full and entire as the same remains on file in this office.

[SEAL.] Witness my hand and the seal of said court, this 8th day of May, A. D. 1866.

K. S. TAYLOR, *Prothonotary.*

Copy of list of voters and return of an election held at Campbell hospital, in the District of Columbia, 2d Tuesday of October, 1864.

Number and names of the qualified electors of Somerset county, State of Pennsylvania, voting at said election.

No. 1. Daniel J. Miller, company D, 18th regiment V. R. C., Gener township.

It is hereby certified to by us that the aforesaid list of electors voting at the said election is correct, and that the number of electors of Somerset county, State of Pennsylvania, voting at this election, amounts to one.

Witness our hands the day and year aforesaid.

WINFIELD S. RICHARDS,
LEWIS M. CRESELING,
I. ROSENTEEL,
Judges of the Election.

Attest:
M. A. CARDEN,
JOHN N. LIPPETTS,
Clerks.

Returns of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Somerset county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll, or their proper place of election, at Campbell hospital, being the place selected by the said electors for opening the poll of said election, there were cast—

For representative in the House of Representatives of the United States, one vote; of which William H. Koontz had one vote.

For representatives in the house of representatives of Pennsylvania, there were cast one vote; of which David B. Armstrong had one vote; Moses A. Ross had one vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

WINFIELD S. RICHARDS,
101st Ca., V. R. C.,
LEWIS M. CRESELING,
Co. F, 149th Pa.,
J. ROSENTEEL,
Co. F, 139th,
Judges of the said Election.

Attest:
M. A. COWDER,
JOHN M. LIPPETTS,
Clerks.

(Tickets enclosed.)

STATE OF PENNSYLVANIA, *County of Somerset, ss:*

I, the prothonotary of the said county, do hereby certify that the foregoing is a correct copy of the list of voters, and the return of the election therein named, as the same remain on file in my office.

Witness my hand and official seal 28th of May, 1866.

[SEAL.] C. MEYERS, *Prothonotary.*

Copy of return and list of votes.

At an election held the second Tuesday of October, 1864, at White Hall United States army general hospital, Samuel S. Fries, Thomas G. Bartram, and John S. Krumbline were judges, and Charles H. Ott and Benjamin F. Neüer clerks.

The following is a correct copy of list of electors voting at the said election:

No. 1. George C. Chrisner, Co. F, 45th regiment Pennsylvania volunteers, Somerset county, Gener township.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of Somerset county, State of Pennsylvania, voting at the said election, amounts to one.

Witness our hands the day and year aforesaid.

SAMUEL S. FRIES,
THOMAS G. BARTRAM,
JOHN S. KRUMBLINE,
Judges of the Election.

Attest:

CHARLES H. OTT,
BENJAMIN F. NEÜER,
Clerks of said Election.

The following is a correct copy of the return of the election:

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Somerset county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend to any company poll or their proper place of election, at White Hall United States army general hospital, being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the House of Representatives in the Congress of the United States; of which William H. Koontz had one vote.

For representatives in the house of representatives of Pennsylvania, there were cast one vote; of which David B. Armstrong had one vote; Moses A. Ross had one vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

SAMUEL S. FRIES,
Hospital Steward U. S. A.,
THOMAS G. BARTRAM,
Acting Assistant Surgeon U. S. A.,
JOHN S. KRUMBLINE,
Co. A, 93d Reg. Penn. Vols,
Judges of said Election.

Attest:

CHARLES H. OTT,
BENJAMIN F. NEÜER,
Clerks.

(Ticket enclosed.)

STATE OF PENNSYLVANIA, *Somerset County, ss:*

I, the prothonotary of said county, do hereby certify the foregoing to be correct copies of the list of votes and return of the election as they remain on file in my office.

[SEAL.] Witness my hand and official seal the 29th day of May, 1866.

C. MEYERS, *Prothonotary.*

A full and true copy of the entire return, poll-book, &c., of the election held at Seward light artillery barracks, Alexandria, Va., as the same have been forwarded to and remain on file in the prothonotary's office, Somerset county, Pennsylvania.

Poll-book.—At an election held at Seward light artillery barracks, Alexandria, Va., of voters of Somerset county, State of Pennsylvania, of battery H, independent Pennsylvania artillery, on the second Tuesday of October, one thousand eight hundred and sixty-four, Lieutenant Wm. H. Askins, Sergeants John A. Floyd and John M. McGratty, were duly elected judges of said election, and Corporal John J. Case and Private James L. Sutherland were appointed as clerks, and all being severally sworn according to law previous to receiving any of the votes.

The following are the names of the persons voting and number of votes cast:

No. 1. David Harbaugh, Lower Turkeyfoot township.
2. George F. Cunningham, Lower Turkeyfoot township.

For representative in the House of Representatives of the United States, William H. Koontz received two votes.

We, Lieutenant Wm. H. Askins and Sergeants John A. Floyd and John McGratty, judges of said election, and Corporal John J. Case and private James L. Sutherland, clerks, hereby certify that the above is correct.

2d Lieut. W. H. ASKINS, JR.,
Sergeant JOHN A. FLOYD,
Sergeant JOHN M. McGRATTY,
Judges.

Corporal JOHN J. CASE,
Private JAMES L. SUTHERLAND,
Clerks.

There were two tickets exactly alike. The following is a copy of each:
For Congress, sixteenth district, William H. Koontz.
For Congress, sixteenth district, William H. Koontz.

STATE OF PENNSYLVANIA, *County of Somerset, ss:*

I, the prothonotary of said county, do hereby certify the foregoing to be a true, full, and complete copy of all the papers of the election held as stated therein, as the same were returned to, and remain on file in, this office.

[SEAL.] Witness my hand and seal at Somerset, May 30, A. D. 1866.

C. MEYERS, *Prothonotary.*

Return of the election.

At an election held by the electors of Somerset county, in company —, of the —— regiment of Pennsylvania soldiers, at United States army general hospital, York, Pennsylvania, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, three votes; of which William H. Koontz had three votes.

For representative in the house of representatives of Pennsylvania, there were cast three votes; of which David B. Armstrong had three votes; Moses A. Ross had three votes.

A true return of the election, held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

GEO. W. McELROY,
Co. 108, 2d Bat. V. R. C. Soldiers,
W. S. ROBINSON,
A. A. S. U. S. A. Hos., York, Pa.,
H. S. SMYSER,
A. A. S. U. S. A. Hos., York, Pa.,
Judges of the said Election.

Attest:
HORACE G. MANN,
JAMES K. SHAFFER,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No. 1. Peter Knepp, Somerset county, Larimer township.
2. Solomon H. Deal, Somerset county, Larimer township.
3. Edward Holtzapple, corporal company E, 54th Pennsylvania, Somerset county, Paint township.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of Somerset county, State of Pennsylvania, voting at the said election, amounts to three.

Witness our hands the day and year aforesaid.

W. S. ROBINSON,
GEO. W. McELROY,
H. S. SMYSER,
Judges of said Election.

Attest:
HORACE G. MANN,
JAMES K. SHAFFER,
Clerks.

(Tickets as above enclosed.)

SOMERSET COUNTY, *ss:*

I, Cyrus Meyers, prothonotary of said county, do hereby certify that the foregoing copies of the return and list of voters at the election therein named are true copies of the originals filed in my office.

Witness my hand and the seal of the court of common pleas of said county, at Somerset, this thirtieth day of May, A. D. one thousand eight hundred and sixty-six.

[SEAL.]

C. MEYERS, *Prothonotary.*

Copy of a list of voters and return of the election held at Mount Pleasant hospital, District of Columbia, second Tuesday of October, 1864.

Number and names of the qualified electors of Somerset county, State of Pennsylvania, voting at said election.

No.	Names of electors.	Company and regiment.	Township, borough, ward, or precinct.
1	A. J. Parker	F, 142d Pennsylvania	Brother's Valley township.
2	Charles R. Walker	D, 1st Penn'a H. A.	James Cross-roads.
3	John Close	K, 1st Penn'a H. A.	Addison township.

It is hereby certified to by us that the aforesaid list of electors voting at the said election is correct, and that the number of electors of Somerset county, State of Pennsylvania, voting at this election, amounts to three.

Witness our hands the day and year aforesaid.

H. MOWER,
W. BRYAN,
E. L. OTTERTRONK,
Judges of the Election.

Attest:
A. BRENNEMAN,
P. W. REID,
Clerks.

Returns of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Somerset county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll or their proper place of election, at Mount Pleasant hospital, being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the House of Representatives of the United States, three votes; of which William Koontz had three votes.

For representative in the house of representatives of Pennsylvania there were cast three votes; of which David B. Armstrong had three votes; Moses A. Ross had three votes.

For the office of coroner there was cast one vote; of which S. J. Countryman had one vote.

For the office of county commissioner there was cast one vote; of which Hiram Bean had one vote.

For the office of director of the poor there was cast one vote; of which Samuel A. Rhoades had one vote.

For the office of president judge there was cast one vote; of which Alexander King had one vote.

For the office of auditor there was cast one vote; of which William Meyers had one vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

H. MOWER,
W. BRYAN,
E. L. OSLERSTUCK,
Judges of the said Election.

Attest:
A. BRENNEMAN,
P. W. REID,
Clerks.

(Tickets enclosed, all for William H. Koontz for Congress.)

STATE OF PENNSYLVANIA, *County of Somerset, ss:*

I, the prothonotary of the said county, do hereby certify that the foregoing is a true copy of the list of voters and return of the election therein named, as the same remain on file in my office.

Witness my hand and official seal, 28th May, A D. 1866.

[SEAL.] C. MEYERS, *Prothonotary.*

Returns of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, by the qualified electors of Somerset county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll, or their proper place of election at Sickles Barracks hospital, being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the House of Representatives of the United States, one vote; of which William H. Koontz had one vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

Act'g Ass't Surgeon E. NEAL,
A. B. MOTT,
G. W. ZIMMERMAN,
Judges of the said Election.

Attest:
JOHN J. KOCHERSPERGER,
JACOB ENDY,
Clerks.

Number and names of the qualified electors of Somerset county, State of Pennsylvania, voting at said election.

No. 1. Samuel Nicola, company C, 142d Pennsylvania volunteers, Turkey foot township, Somerset county.

It is hereby certified by us that the aforesaid list of electors voting at the said election is correct, and that the number of electors of Somerset county, State of Pennsylvania, voting at this election, amounts to one.

Witness our hands the day and year aforesaid.

Act'g Ass't Surgeon E. NEAL,
A. B. MOTT,
G. W. ZIMMERMAN,
Judges of the Election.

Attest:
JOHN J. KOCHERSPERGER,
JACOB ENDY,
Clerks.

(One ticket, for Congress, W. H. Koontz, district sixteen, enclosed.)

STATE OF PENNSYLVANIA, *County of Somerset, ss:*

I, prothonotary of said county, do hereby certify the foregoing to be correct copies of the original "return and list of votes" of the election therein stated, as the same have been sent to and remain on file in this office.

Witness my hand and official seal, at Somerset, this thirtieth day of May, A. D. 1866.

[SEAL.]

C. MEYERS, *Prothonotary.*

Returns of the election.

At an election held on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, the qualified electors of Somerset county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll, or their proper place of election, at Baptist Church

hospital, Alexandria, Virginia, being the place selected by the said electors for opening the poll for this election, there were cast—

For representative in the House of Representatives of the United States, two votes; of which William H. Koontz had two votes.

For representative in the house of representatives of Pennsylvania, there were cast two votes; of which David B. Armstrong had two votes; Moses A. Ross had two votes.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty four, certified by us the day and year aforesaid.

WARREN W. GOFF,
JACOB W. PALMER,
CHAS. H. CANFIELD,
Judges of the said Election.

Attest:
JOHN A. HENDERSON,
HENRY A. RITNER,
Clerks.

Number and names of the qualified electors of Somerset county, State of Pennsylvania, voting at said election.

No. 1. Aaron Lohr, company D, 204th regiment Pennsylvania volunteers, Jenner township.

No. 2. George Ludy, company D, 204th regiment Pennsylvania volunteers, Jenner township.

It is hereby certified to by us that the aforesaid list of electors voting at the said election is correct, and that the number of electors of Somerset county, State of Pennsylvania, voting at the said election, amounts to two votes.

Witness our hands the day and year aforesaid.

WARREN W. GOFF,
JACOB W. PALMER,
C. K. CANFIELD,
Judges of the Election.

Attest:
JOHN A. HENDERSON,
HENRY A. RITNER,
Clerks.

STATE OF PENNSYLVANIA, *County of Somerset, ss:*

I, the prothonotary of the said county, do hereby certify that the foregoing are true and correct copies of the "return and list of voters" of the election named therein, as they remain on file in my office.

Witness my hand and seal this 30th day of May, 1866.

[SEAL.] C. MEYERS, *Prothonotary.*

Return of the election.

At an election held by the electors of Somerset county, State of Pennsylvania, being in the actual military service aforesaid, and unable to attend any company poll or their proper place of election, at Chester hospital, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, three votes; of which William H. Koontz had two votes; A. H. Coffroth had one vote.

For representatives in the house of representatives of Pennsylvania there were cast four votes; of which David M. Myers had three votes; Hiram D. Findlay had one vote.

For the office of county commissioner there were cast one vote; of which John Day had one vote.

For the office of director of the poor there were cast two votes; of which Isaac N. Durboraw (three years) had one vote; Joseph Kepmer (two years) had one vote.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

WILLIAM GIBSON, Co. A, 2d H. Art.,
JOHN E. FORCE, 71st Reg't Pa. Vols.,
WM. H. SANNER, Serg't Maj., 54th Pa. Vols.,
Judges of the said Election.

Attest:
E. H. GREENE,
H. K. RHOADES,
Clerks.

(Three tickets tallying with the above enclosed.)

Number and names of the electors voting at the said election, and their county, city, borough, ward, township, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Wm. C. Kelly, Co. G, 49th Pa...	Somerset county....	Allegheny
2	Wm. H. Sanner, Serg. Maj., 54th Pa	.....do.....	Lower Turkeyfoot.
3	Hiram J. Sanner, Co. G, 54th Pa.	.....do.....	Middle Creek.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of Somerset county, State of Pennsylvania, voting at said election, amounts to three.

Witness our hands the day and year aforesaid.

WILLIAM GIBSON,
JOHN E. FORCE,
WM. H. SANNER,
Judges of the Election.

Attest:
E. H GREENE,
H. K. RHOADES,
Clerks of the Election.

STATE OF PENNSYLVANIA, *Somerset County, ss:*

I, the prothonotary of said county, hereby certify the foregoing to be true and correct copies of the original return and list of voters of the election therein named, as the same have been forwarded to and remain on file in my office.

Witness my hand and official seal, May thirty, eighteen hundred and sixty-six.

[SEAL.] C. MEYERS, *Prothonotary.*

Return of the election.

At an election held by the electors of Somerset county, in company E, of the 54th regiment of Pennsylvania soldiers, at Cedar Creek, West Virginia, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, there were cast—

For representative in the House of Representatives in the Congress of the United States, two votes; of which William H. Koontz had two votes.

For assembly, D. B. Armstrong had two votes; Moses A. Ross had two votes.

A true return of the election held as aforesaid, on the second Tuesday of October, A. D. one thousand eight hundred and sixty-four, certified by us the day and year aforesaid.

JOHN G. STRAYER,
SAMUEL HUMMELL,
WILLIAM McCLANE,
Judges of the said Election.

Attest:
Corporal JOHN R. HUMMELL,
Corporal ALLEN F. BOYLE,
Clerks.

Number and names of the electors voting at the said election, and their county, city, borough, township, ward, or precinct of residence.

No.	Names of electors voting.	County or city.	Township, borough, ward, or precinct.
1	Samuel Hummell	Somerset county	Paint township.
2	Joseph R. Hummell	do.	Do.

It is hereby certified by us that the above list of electors voting at the said election is correct, and that the number of electors of ——— county, State of Pennsylvania, voting at the said election, amounts to——.

Witness our hands the day and year aforesaid.

(Two tickets for Congress, William H. Koontz, and two tickets for assembly, D. B. Armstrong and Moses A. Ross, enclosed.)

STATE OF PENNSYLVANIA, *Somerset County, ss:*

I, the prothonotary of the said county, do hereby certify that the foregoing are true and correct copies of the return and list of voters of the election therein named, as they remain on file in my office.

Witness my hand and seal this thirtieth day of May, A. D. eighteen hundred and sixty-six.

[SEAL.]

C. MEYERS, *Prothonotary.*

0

INDEX.

EVIDENCE OF CONTESTANT.

		Page.
1.	Notice of contestant	1
2.	Answer of sitting member	5
3.	Agreement upon commissioners to take testimony	18
4.	Agreement upon the number of votes returned by the county boards and parts of county boards of the several counties in the district	19
5.	Bedford county depositions on part of contestant	20
6.	Certificate of Bedford county return judges of soldier vote, referred to in testimony as paper A	33
7.	Return of company H, 208th regiment, referred to as paper B	33
8.	Return of Barracks No. 1, Soldiers' Rest, referred to as paper C	38
9.	Certified copy of same by prothonotary of Bedford county, paper D	41
10.	Certified copy of same by secretary of commonwealth, paper E	44
11.	Return of Bedford township, referred to as paper F	46
12.	Fulton county depositions on behalf of contestant	47
13.	Certified return of home and soldier vote of Fulton county, paper G	53
14.	Certificate of prothonotary of Fulton county, showing the soldier votes counted by return judges, paper H	54
15.	Return of company G, 205th regiment, referred to as paper I	54
16.	Return of company H, 208th regiment, referred to as paper K	56
17.	Adams county depositions on part of contestant	58
18.	Certificate of oaths of election officers, company C, 202d regiment, referred to as paper A	100
19.	Return of Mower hospital, referred to as paper B	102
20.	Return of McClellan hospital, referred to as paper C	104
21.	List of voters of Franklin township, referred to as paper D	107
22.	Return of Franklin township, referred to as paper E	109
23.	List of voters of Cumberland township, referred to as paper F	110
24.	Return of Cumberland township, referred to as paper G	112
25.	Return of Liberty and Hamiltonban townships, referred to as paper H	113
26.	Certificate of prothonotary of Adams county as to third division general hospital.	113
27.	Somerset county depositions on part of contestant	114
28.	Return of Barracks No. 1, certified by prothonotary of York county	120
29.	Return of Haddington hospital	121
30.	Return of company E, 211th regiment	123
31.	Return of depot field hospital, City Point	125
32.	Return of camp in the field	128
33.	Return of Lincoln general hospital	130
34.	Return of company C, 205th regiment, near Old Court House, Virginia	132
35.	Return of company C, 110th regiment, at camp near Petersburg	134
36.	Return of company C, 200th regiment, at Old Prince George Court House	137

EVIDENCE OF SITTING MEMBER.

		Page.
1.	Somerset county depositions	139
2.	Return of company K, 5th regiment heavy artillery	150
3.	Return of Haddington general hospital	153
4.	Return of Whitehall general hospital	154
5.	Return of Clarysville, Maryland, general hospital	157
6.	Return of Cuyler general hospital, Philadelphia	159
7.	Return of McClellan general hospital	160
8.	Return of company E, 211th regiment, camp near Bermuda Hundred	161
9.	Return of Mower United States general hospital	162
10.	Return of an election at camp 15th United States infantry	163
11.	Return of third division general hospital, Alexandria, Virginia	166
12.	Return of company F, 198th regiment, near Petersburg, Virginia	168
13.	Return of Mower United States hospital	171
14.	Return of Rendezvous of Distribution, Virginia	171
15.	List of voters of Quemahoning township	173
16.	List of voters of Somerset township	174
17.	Certificate of Greenville township list	177
18.	Tally-papers of Somerset county	178
19.	Return of Armory Square hospital	180
20.	Bedford county depositions	183
21.	Return of McClellan hospital	
22.	Companies D, E, and F, 138th regiment	
23.	Detached return	
24.	Adams county depositions	209
25.	Return of Camp Cadwallader, paper A	214
26.	Return of Independent company, Pennsylvania volunteers, paper B	216
27.	Tally-paper of Independent company, Pennsylvania volunteers, paper C	217
28.	Return of Independent company, Pennsylvania volunteers, paper D	218
29.	Return of company F, 210th regiment Pennsylvania volunteers, paper E	219
30.	Certificate of secretary of commonwealth, paper F	220
31.	List of voters of Huntingdon township, paper G	220
32.	List of voters of Latimore township, paper H	223
33.	Return of Huntingdon township, paper I	224
34.	Return of company E, 205th regiment, paper K	225
35.	Return of company G, 200th regiment, paper L	226
36.	Fulton county, return of signal corps	228
37.	Return of Camp Biddle	228
38.	Return of Haddington hospital	229
39.	Return of United States general hospital, York	229
40.	Return of Camp Parole	230
41.	Return of Fort Bloss	231
42.	Return of Camp Provost Guard	231
43.	Return of company E, 49th Pennsylvania volunteers	232
44.	Return of Camp Kenit, Martinsburg, Virginia	232
45.	Return of company K, 202d regiment	233
46.	Return of company D, 209th regiment	234
47.	Return of Farmers' Lawn United States general hospital	234
48.	Return of company B, 148th regiment	235
49.	Return of No. 374 H street, Washington, D. C	235
50.	Franklin county depositions	236
51.	Return of company K, 21st regiment Pennsylvania cavalry	239

Page.
52. Return of company E, 21st regiment Pennsylvania cavalry 241
53. Return of company H, 16th regiment Pennsylvania cavalry 243
54. Return of company A, 1st regiment Pennsylvania light artillery 246
55. Return of company L, 21st regiment Pennsylvania cavalry 249
56. Return of company E, 17th regiment Pennsylvania cavalry 251
57. Return of Mower United States general hospital 253
58. Return of company E, 149th Pennsylvania volunteers 254
59. Return of Lincoln general hospital 255
60. Return of company B, 148th Pennsylvania volunteers 257
61. Return of company B, 210th Pennsylvania volunteers 259
62. Return of company H, 208th Pennsylvania volunteers 260
63. Return of Chapin's Farm, Virginia 261
64. Return of Camp Hamilton, near Fort Monroe, Virginia 261
65. Return of company G, 200th Pennsylvania volunteers 262
66. Return of company G, 205th regiment Pennsylvania volunteers 263

ELECTION IN MISSISSIPPI.

CERTIFICATE OF ELECTION

OF

MEMBERS FROM MISSISSIPPI

TO

The thirty-ninth Congress.

JUNE 4, 1866.—Referred to the Committee on Reconstruction and ordered to be printed.

BENJAMIN G. HUMPHREYS, GOVERNOR OF THE STATE OF MISSISSIPPI:

To all who shall see these presents, greeting:

Be it known that at a general election, begun and held in the various counties of the State of Mississippi, and at the various precincts thereof, on Monday, the second day of October, in the year of our Lord one thousand eight hundred and sixty-five, the following named gentlemen, as appears from the returns of said election, on file in the office of the secretary of state, were duly and regularly, and in accordance with the constitution and laws of the State of Mississippi, elected representatives in the Congress of the United States of America, from the said State of Mississippi, for the term prescribed by law, viz:

From the first district, Arthur E. Reynolds, of Tishemingo county.
From the second district, Richard A. Pinson, of Pontotoc county.
From the third district, James T. Harrison, of Lowndes county.
From the fourth district, A. M. West, of Holmes county.
From the fifth district, E. G. Peyton, of Copiah county.

In testimony whereof, I have caused the great seal of the State of Mississippi to be hereunto affixed.

[SEAL.] Given under my hand, at the city of Jackson, this the 27th day of November, A. D. 1865.

BENJAMIN G. HUMPHREYS.

By the governor:

C. A. BROUGHER, *Secretary of State.*

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 119.

EXPLOSION AT THE ARSENAL.

LETTER

FROM THE

COMMANDANT OF THE WASHINGTON ARSENAL,

TRANSMITTING,

In lieu of a report heretofore made, a detailed report of the distribution of the money to the sufferers by the late explosion in said arsenal, with the vouchers therefor.

JUNE 11, 1866.—Laid on the table and ordered to be printed.

WASHINGTON ARSENAL,
Washington, D. C., June 8, 1866.

SIR: I have the honor to report that, in accordance with joint resolution No. 84, appropriating the sum of twenty-five hundred dollars "for the relief of the sufferers by the late explosion at the United States arsenal, in the District of Columbia," I have distributed that amount among the sufferers by the said explosion, and transmit herewith the details of said distribution, with the vouchers therefor.

I would respectfully request the substitution of this report for that transmitted by me on the 6th instant.

Very respectfully, your obedient servant,

J. G. BENTON,
Maj. Ord., and Brevet Colonel, Commanding.

Hon. EDWARD MCPHERSON,
Clerk to the House of Representatives, Washington, D. C.

The United States in account current with Brevet Colonel James G. Benton, for the month of May, 1866.

DR.

1866.
May 31.—For amount appropriated by joint resolution House of Representatives, No. 84, for the relief of the sufferers by the explosion at this arsenal December 18, 1865..... $2,500

CR.

May 7.—Treasury draft No. 5,193, on war warrant No. 6,482..... $2,500

I certify that the above is a true account of all money received by me and not heretofore accounted for.

J. G. BENTON,
Brevet Colonel and Major of Ordnance, Commanding.

WASHINGTON ARSENAL, *May* 31, 1866.

Abstract of disbursements made by Col. James G. Benton, under joint resolution No. 84, "for the relief of the sufferers by the late explosion at the United States arsenal, in the District of Columbia."

We, the subscribers, hereby acknowledge to have received of Bvt. Col. James G. Benton, U. S. army, the sums set opposite our names, respectively, on account of the amount appropriated by the joint resolution, House of Representatives, No. 84, passed March 7, 1866, "for the relief of the sufferers by the late explosion at the United States arsenal, in the District of Columbia," having signed duplicate receipts:

No.	Names.	Amount.	Signature.	Witness.
1	Ellen Fealy, widow of Thomas Fealy.	$350 00	Ellen Fealy	
2	Mary M'Garry, widow of Peter M'Garry.	300 00	her Mary × M'Garry mark.	Fred. Herman.
3	Catharine Meehan, mother of John Meehan.	250 00	her Catharine × Meehan mark.	Jno. J. Cook.
4	Fannie Coyle, widow of Martin Coyle.	250 00	Fannie Coyle	
5	John Crane, severely injured	110 00	his John × Crane mark.	Jno. J. Cook.
6	Julia Mahoney, sister of Jeremiah Mahoney.	33 33⅓	her Julia × Mahoney mark.	Jno. J. Cook.
7	Mary Mahoney, sister of Jeremiah Mahoney.	33 33⅓	her Mary × Mahoney mark.	Jno. J. Cook.
8	Joanna Mahoney, sister of Jeremiah Mahoney.	33 33⅓	her Joanna × Mahoney mark.	Jno. J. Cook.
9	Margaret Moran, widow of John Moran.	400 00	her Margaret × Moran mark.	Jno. J. Cook.
10	Catharine Reardon, widow of Patrick Reardon.	300 00	her Catharine × Reardon mark.	Jno. J. Cook.
11	James Lawler	40 00	his James × Lawler mark.	Jno. J. Cook.
12	Elizabeth Linn, mother of Charles Linn.	100 00	her Elizabeth × Linn mark.	
13	Ellen Whiteley, widow of Marsland Whiteley.	300 00	her Ellen × Whiteley mark.	Jno. J. Cook.
		2,500 00		

J. G. BENTON,
Bvt. Col. and Major of Ordnance.

WASHINGTON ARSENAL, *May* 31, 1866.

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 120.

DIRECT TAX IN FLORIDA.

MEMORIAL

OF

THE LEGISLATURE OF FLORIDA,

RELATIVE TO

PAYMENT OF THE DIRECT TAX.

JUNE 12, 1866.—Referred to the Committee of Ways and Means and ordered to be printed.

The memorial of the general assembly of the State of Florida respectfully showeth unto the honorable the Senate and House of Representatives of the United States of America, that an act of Congress, approved August 1, in the year 1861, laid a "direct tax" of twenty millions of dollars upon the United States, apportioned among the States thereof respectively, and that the amount apportioned to the State of Florida was seventy-seven thousand five hundred and twenty-two dollars and sixty-seven cents; that on the 7th of June, 1862, Congress passed "An act for the collection of direct taxes in insurrectionary districts, and for other purposes;" that under the said act, and in the same year, a board of direct tax commissioners entered upon the performance of their duties in the State of Florida; that in the performance of their said duty the commissioners seem to have been animated more with the spirit of speculation and taking advantage of the unfortunate condition of their country than with any desire to benefit the United States government, or to add anything to the United States treasury; that in the sales of lots of land in the city of Fernandina, county of Nassau, in this State, in the month of June, 1863, the amount realized was less than ten thousand dollars; that said sale was set aside by the Secretary of the Treasury on account of the illegality of said sale—in the first place, from the absence of one of the commissioners at said sale, and, further, because they, the commissioners present, purchased extensively at their own sale; that a full board at a subsequent time ordered another sale of all the lots at Fernandina, in October of that year, but that for some cause the sale did not take place until December, 1864. At a subsequent time the board of commissioners was reorganized, and under this a portion of the lots were sold; but that since said partial second sale it has been indefinitely postponed by order of the Secretary of the Treasury; that the further information relative to the sales under the direct tax law of the State showeth that all the lots at St. Augustine have been sold, realizing the amount of twenty-four thousand dollars, and that the taxes of St. John's and Monroe counties have been fully paid. And further, your memorialists would show that the amount collected from sales of forfeited property and collections in the State

of Florida amount to the sum of fifty-four thousand dollars, from which there will be a deduction of about ten thousand dollars for property returned, which leaves the real amount to have been reported to the treasury to be forty-four thousand dollars, and to accomplish this much it has or will cost the United States, from September 15, 1862, to January 1, 1866, the amount of forty-seven thousand nine hundred and twenty-five dollars, showing a balance against the treasury of the United States of three thousand nine hundred and twenty-five dollars. Now, in consideration of these facts, and in order that your honorable body may have all information in the premises, and that the people of Florida have returned to their allegiance and loyalty, and this day they are the firm supporters and adherents of that Union which they know from past experience is to be perpetual, they show that during the late war many of those persons whose property was sold resided in the confederate lines, and among those who are the sufferers are many widows and orphans, who from circumstances are unable to subscribe to the required oath. It is therefore for these reasons, and because we believe your honorable body is the exponent of that magnanimous spirit which has been exhibited towards the States lately in insurrection, and because we believe that said law was passed under the war powers of Congress, and as war no longer exists, but the State of Florida is now in peace with the United States, and through her convention has made, and now through this general assembly is making every effort to regain her former position in the Union of States; and as her people, whether under military rule or the milder sway of civil law, have always shown a willingness to return to the Union, unsurpassed by any other of the insurrectionary States, and as her people have been noted for their faithfulness in whatever cause they may espouse: therefore, your memorialists ask that the Congress of the United States will allow the State of Florida to assume the payment of the said "direct tax" under the same condition as the loyal States were allowed, and that your honorable body will so change the law now in existence as to do away with the required oath; and that your body will place the State of Florida in the same position, to all intents and purposes, as that occupied by the loyal States of the Union; and as your memorialists cannot be unmindful of the fact that they represent a State in this Union, and that they are agents of a portion of the great American people, and as the right of petition or memorial has been recognized since the establishment of this great republic, wherefore the representatives of the people of the State of Florida ask the Congress of the United States to grant them this right, granted to other States, and to enable her people to enjoy the same privileges as the citizens of other States.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF FLORIDA.

I do hereby certify that the instrument of writing hereto annexed is a true and correct copy of the original act on file in this office.

Given unto my hand and the great seal of the State of Florida, at the capi-
[SEAL.] tol, in the city of Tallahassee, the 30th day of May, A. D. 1866.

BENJAMIN F. ALLEN,
Secretary of State.

SOLDIERS' CONVENTION IN PENNSYLVANIA.

LETTER

FROM THE

SECRETARY OF THE SOLDIERS' CONVENTION IN PENNSYLVANIA,

Transmitting proceedings of that convention.

JUNE 15, 1866.—Referred to the Committee on Military Affairs and ordered to be printed.

HARRISBURG, PA., *June* 11, 1866.

SIR: I am directed by the Soldiers' State Convention of Pennsylvania to forward you a copy of its proceedings, a duty I perform with the greatest pleasure, as we recognize in you, sir, one who was our faithful friend when in the field.

I am your obedient servant,

G. WASHINGTON FENN,
Secretary of the Convention, late Captain U. S. V.

Hon. SCHUYLER COLFAX,
Speaker of the House of Representatives, Washington, D. C.

Soldiers' State Convention.

"NATIONAL UNION OF THE BOYS IN BLUE."—PENNSYLVANIA'S GALLANT SONS IN COUNCIL.—UNION AND HARMONY.—LIST OF THE DELEGATES.—SPEECH OF GENERAL JOSHUA T. OWEN.—THE RESOLUTIONS.—GENERAL GEARY INDORSED.—TREASON IS A CRIME AND MUST BE PUNISHED.—SPIRITED ADDRESSES AND GREAT ENTHUSIASM.—STATE ORGANIZATION OF THE "NATIONAL UNION OF THE BOYS IN BLUE."—FINAL ADJOURNMENT.

The convention of honorably discharged soldiers and sailors of Pennsylvania assembled in this city yesterday forenoon pursuant to call. About half past nine o'clock the delegates, having been collected from the various hotels, marched through the streets, escorted by a brass band, and, under the guidance of Major Generals James S. Negley, of this county, and Joshua T. Owen, of Philadelphia, to the Academy of Music, on Liberty street, the place selected for the convention. Soon after the delegates were seated, and sufficient order prevailed, the convention was called to order by General Negley taking the chair. Captain G. Washington Fenn, of Harrisburg, was chosen temporary secretary.

A resolution was offered that the delegates to the convention pledge themselves to conform to its regulations.

General Owen thought the resolution superfluous, as all true soldiers who participated in the proceedings would consider themselves bound thereby. After some discussion the resolution was withdrawn.

A committee on credentials, consisting of one from each congressional district, was appointed, and also three sergeants-at-arms, (Captain G. L. Braun, J. M. Carr, and Sergeant Gifford,) to keep order and prevent the intrusion of outsiders.

The convention then took a recess for half an hour to await the report of the committee on credentials.

REASSEMBLING.

The committee on credentials having concluded their labors, reported the following delegates entitled to seats :

Philadelphia.—General Joshua T. Owen, General C. H. T. Collis, Colonel W. B. Sipes, Major Edmund De Buck, Captain J. S. Stretch, Captain H. Conner, Sergeant T. G. Troxel, Private T. J. Neill, Henry Rudolph, Corporal John Thompson, James Morrison, Colonel E. R. Biles, Major H. Oscar Roberts, Captain Albert J. Royer, William Emsly, Major William Shields, Captain A. K. Dunkle, Sergeant J. W. Monteith, Colonel John K. Murphy, William Magee, Major R. Ellis, Nathan H. Levering, Colonel William Frishmuth, Captain W. W. Hopkins, Sergeant M. Wray, Sergeant D. Worman, Colonel James Givin, Lieutenant Colonel J. H. Sinex, Private J. H. Lindsey, Captain George W. Curry, Samuel B. Griffith, Major John Lockhart, Henry W. Bache, Francis K. Duke, Henry Whiteside, Doctor George P. Oliver, Anthony McCrystal, James Branson Carr, Noah W. Moffitt, Captain George Brown, Major J. S. Steeples, Colonel Bodine, G. C. Meade, Captain Thomas Ford, Sergeant Murray, Robert Hervey, Lieutenant J. D. Bingham, Lieutenant S. Johnston, Lieutenant William Letford, Samuel Jamison, Lieutenant Richard J. Miller, W. G. Nichols, Captain F. H. Gregory, Private Charles Naylor, R. A. Schoneman, Lieutenant John Sage, Sergeant A. A. Gifford, Captain J. T. Ayer, Captain D. Richardson, Captain W. Spangler, Captain A. M. K. Storrie, Sergeant J. H. Killingsworth, Frederick Stilley, Edward C. Thomas, B. G. Roberts, General H. G. Sickel, Colonel William B. Thomas, James T. Murphy, Major Jesse R. Millison, Lieutenant Hiram Godschall, Corporal William D. Letar, Lieutenant Colonel William L. Foulk, Lieutenant Colonel W. H. Fry, Colonel O. B. Griffith, Colonel Gideon Clark, John F. Ribblett, (gunner,) Colonel Robert B. Brath, John T. Brady, Captain Herbert Price.

Sixth congressional district.—General J. T. Hartranft, Captain Elbridge Meconkey, Major William B. Hart, Charles S. Thomas, E. G. Wright, William W. Potts, A. J. Schrack, Lieutenant H Bruce, Thomas T. Neff, Major W. H. Seip, Captain John P. Dellinger.

Lancaster.—Brigadier General J. W. Fisher, Lieutenant William H. Pfahler, Private John H. Shirk, Captain W. W. Nevin, Captain John K. Rutter, Captain Don Juan Wallings, Captain W. W. Hopkins, Captain B. F. Baer, Sergeant G. K. Swope, Major R. W. Schenck, Lieutenant J. E. Barr, Major T. Stevens, Lieutenant A. C. Reinoehl, Lieutenant Colonel W. L. Bear, Private E. C. Reed, Lieutenant J. H. Marshall, Hospital Steward A. N. Thomas, Captain H. N. Beneman, Captain G. H. Ettla, Sergeant D. Potts, Captain S. E. Wisner, Private S. J. Henderson, Captain A. M. Barr, Captain H. F. Swentzel, Lieutenant J. C. Long, Private Henry Dorwart, Captain R. J. Nevin, Lieutenant E. H. Witmer, Lieutenant B. H. Ober, Private R. C. Hopkins, Sergeant J. F. Shreiner, Private H. C. Martin, Sergeant J. P. Lechler, Private Joseph Thomas, Lieutenant Hiram Stamm.

Allegheny.—Captain J. T. Sample, General F. H. Collier, Captain Robert Pollock, C. C. Taylor, General J. S. Negley, Major Harris, Major F. C. Neg-

ley, Captain W. W. Irvin, Colonel Joseph Brown, Alexander Murdoch, Captain J. F. Slagle, Harry Curry, Colonel T. M. Bayne, Captain M. M. Folker, N. Wray, R. Crawford, Joseph Graham, Captain McCabe, Charles F. Goode, Captain H. Tyler, Captain G. L. Braun, Captain William McCall, John H. Kerr, Captain Albert Peart, George Miller, Samuel Chamberlain, Major J. B. Lawson, Lieutenant William M. Hartzell, Lewis Fritz, Captain J. G. McConnell, General A. L. Pearson, Alexander McCallum, Colonel D. Megraw, James Gilmore, Captain L. McKilgore, Colonel Schlicter, Colonel W. B. Neeper, Lieutenant D. B. Ferguson, General Charles Barnes, Lieutenant William B. Stokes, J. H. Woodward.

Franklin.—Captain John H. Walker, Colonel D. W. Rowe, Henry Strickler, Major John H. Harmony, David M. McCune.

Berks.—Captain E. H. Rauch, Major H. D. Markley, Colonel George W. Alexander, Colonel John D. Bertolette, Captain Washington Richards, Lieutenant George L. Knapp, Colonel R. F. Mason, Major Joseph G. Holmes, Colonel E. A. Mast, Captain A. R. Rogers, Lieutenant Michael Walters, Lieutenant D. C. Bicker, Dr. E. C. Kitchen, Captain J. S. Hill.

Dauphin.—General George Zinn, Colonel W. W. Jennings, Colonel H. C. Alleman, Lieutenant Colonel E. G. Savage, Major John C. Harvey, Major J. Frank Miller, Captain G. Washington Fenn, Captain Marcius Novinger, Captain J. T. Ensminger, Lieutenant W. J. Adams.

Chester.—Colonel George F. Smith, Colonel S. O. Bull, W. S. Underwood, Captain H. C. Wood, Colonel W. B. Mendenhall, Captain Josiah Jackson, Captain J. T. Potts, Dr. Nichols, Captain N. A. Pennypacker, Dr. W. Worthington.

Bucks.—Captain Alfred Marple, Major Joseph B. Roberts.

Mifflin.—Colonel A. W. Wakefield, George W. Elberty, Captain Soult.

Juniata.—Colonel William Bell, Colonel J. K. Robinson, Captain W. H. Patterson.

Huntingdon.—Captain B. X. Blair, Captain J. B. Reed, William S. Lytle, Adjutant W. F. Cunningham.

Armstrong.—A. J. Elliott, Major J. A. Kline, Lieutenant Charles G. Barclay, Captain Hamilton.

Lycoming.—Captain Jesse Snyder, James T. Mitchell.

York.—W. H. Duling, A. M. Hunter, Lieutenant G. S. Shaw, E. W. Spangler, Jonathan Jessop, Captain W. H. Lanius.

Lebanon.—Colonel J. P. S. Gobin, Captain A. T. Seltzer, Lieutenant S. Moyer, Captain J. B. Meiley.

Schuylkill.—General James Nagle, D. Christian, Charles Ewing, Captain J. T. Boyle, Colonel J. G. Frick, Major O. A. Bosbyshell, Lieutenant George T. Kurtz, Frederick Stees, Lieutenant Robert L. Leyburn, Charles F. Garrett, Major George W. Brumm, Captain James Russell, Lieutenant Joseph Dengler, Charles Slingluff.

Delaware.—Colonel William Cooper Talley, Thomas V. Cooper, Lieutenant Joseph G. Cummings, Surgeon A. M. Matthews, Sergeant W. T. W. Dickinson.

Union.—Captain J. Merrill Linn, Captain B. C. Ammond, Captain S. T. Kleckner, Sergeant J. V. Miller.

Blair.—Captain James Bell, Lieutenant J. H. Keatley, H. H. Snyder, Captain R. Johnson, Captain D. A. McCahen.

Washington.—Captain H. P. Boon, Lieutenant James S. Stocking, Sergeant William Pollock.

Bedford.—Captain J. S. Stuckey, S. Metzger, Scott W. Hayes.

Clarion.—Lieutenant G. W. Fox, Lieutenant J. L. Wray, Major B. J. Reid.

Centre.—Major George D. Pifer, Colonel W. H. Blair, Major B. P. Wilson, Captain A. B. Hutchinson, Captain M. Kurkle.

Northumberland.—Lieutenant A. M. Brice, P. H. Schreyer.

Montour.—Colonel S. Knorr, Captain George Lovett.

Perry.—Colonel L. Wistar, Colonel F. B. Speakman, Captain J. A. Moore Lieutenant Joel R. Sparr, James McIlhenny.

Lawrence.—Colonel Oscar T. Jackson, Captains W. W. Gibson, W. H. McCandless, C. Benson Lower, James McGowan.

Somerset.—Major E. M. Schrock, Sergeant Joseph Miller, Lieutenant A. Davis.

Fayette.—General S. D. Oliphant, Major J. M. Abraham, Captain A. M. Dushane, Major J. B. Barclay, Captain A. S. Fuller.

Cambria.—Captains W. R. Jones, Webster B. Lowman, S. R. Davis, F. Flanigan, Colonel Jacob M. Campbell.

Indiana.—General Harry White, Colonel H. J. Brady, Colonel D. S. Porter, Captain S. McHenry, Lieutenant John McWilliams.

Butler.—Frank M. Eastman, Thomas B. White.

Beaver.—Robert Dickey, J. R. Harrah, Captain J. Weyand.

Clinton, McKean, and Cameron.—General T. L. Kane, Captain Warren Cowles, Wallace W. Brown, Captain John S. Haynes, Captain Richards, Captain M. W. Lucore, Colonel H. Allen.

Potter.—Captain Seth Lewis, J. W. Stephens.

Wyoming and Susquehanna.—Surgeon S. T. Lane, A. C. Blakeslie, G. Z. Dimock, Michael Sisk, Captain H. H. Hines.

Green.—F. H. Crago, J. Cook, Captain J. A. Burns, Captain B. T. Campbell, Captain K. M. Kent.

Erie.—Colonel C. P. Rogers, Captain John Graham, Captain F. Wagner, Captain T. Eimers, Captain N. L. Flynt.

Cumberland.—Colonel R. M. Henderson, Colonel I. B. Parke, Captain E. P. Zinn, Captain J. A. Swartz, Lieutenant George G. Boyer.

Jefferson.—Dr. A. P. Heichold, Colonel J. J. Martin, Captain J. T. Shannon.

Northampton.—Brigadier General Selfridge, Captain Edward Kelly, Captain Howard J. Reeder, Lieutenant Charles Chidsey, Lieutenant Joseph Cornstock.

Clearfield.—R. R. Fleming, James Ross, Wm. Hemphill.

Westmoreland.—Captain W. B. Coulter, Lieutenant Colonel George A. Anderson, Captain J. W. Graham, John Oursler.

General Owen moved that the report of the committee on credentials be accepted, and that the delegates whose names had been read be admitted to seats.

Major Harry White, of Indiana, moved as an amendment that the delegates whose seats had been contested be admitted to seats in the convention. Adopted, and resolution, as amended, carried.

Colonel Alleman moved that a committee of thirty-three be appointed to draught resolutions expressive of the sense of the convention.

General Fisher, of Lancaster, said that he had offered such a resolution before the committee on credentials had been appointed, and consented to its being deferred.

Colonel Collis moved that a committee on permanent organization be appointed.

Major Schenck moved as an amendment that the temporary chairman appoint a committee on permanent organization, to consist of one member from each senatorial district. The motion, as amended, was adopted.

The following named gentlemen were announced as the committee:

Sergeant Anthony Gifford, of Philadelphia, chairman; T. J. Neill, Captain A. K. Dunkle, Captain F. H. Gregory, Lieutenant J. L. Wray, Sergeant Jamison, Captain E. Meconkey, Dr. Dickeson, Lieutenant John H. Keatley, Colonel Wm. Bell, Captain Webster Loman, Captain Samuel Jamison, A. J. Elliott, General George Zinn, Colonel H. Allen, Robert Dickey, Captain Amsby Fuller, General A. L. Pearson, General Charles Barnes, Sergeant Joseph Miller, Captain John H. Walker, Captain G. Lovett, Captain S. H. Lewis, Captain

J. A. Swartz, Lieutenant R. L. Leyburn, Dr. E. C. Kitchen, Major R. W. Schenck, John H. Shirk, Major W. H. Seip, Captain Frank Wagner, James McGowan, Captain Robert J. Nevin, Colonel J. B. Copeland.

General Fisher called up his motion for the appointment of a committee of thirty-three (one from each senatorial district) on resolutions, to which committee all resolutions offered to the convention should be referred without debate.

Considerable discussion as to who should be chairman of the committee was had. Colonel Alleman, of Dauphin county, claimed to have made the motion for the appointment of the committee prior to General Fisher, and therefore considered that he was entitled to the chairmanship.

General Fisher stated that he was indifferent as to the chairmanship, did not care for it himself as a matter of pride, but claimed he was entitled to it, having offered the resolution before recess, and consented to its suspension. He therefore only called it up.

Lieutenant Reinohl, of Lancaster, thought General Fisher entitled to the chairmanship. Western Pennsylvania was ably represented in the temporary chairmanship of the convention, Eastern Pennsylvania would be honored with the permanent chairman, and he considered it eminently fit that Lancaster county, "the Old Guard," should be recognized by selecting one of her sons (General Fisher) as chairman of the committee on resolutions. Lancaster was entitled to this honor. It was the home of Thaddeus Stevens. [Loud and continued applause.]

The chairman put an end to the discussion by stating that he had appointed General Fisher as chairman of the committee.

The committee was announced as follows:

General Jos. W. Fisher, chairman; General C. H. T. Collis, Colonel Wm. B. Sipes, General H. G. Sickles, Lieutenant F. B. Bingham, General J. F. Hartranft, Colonel George F. Smith, Captain Alfred Marple, Major Walter H. Seip, Colonel R. S. Mason, Captain John T. Boile, Captain H. H. Hines, General Thomas L. Kane, Captain J. Merrill Linn, Colonel Samuel Knorr, Captain J. B. Meily, Colonel H. C. Alleman, Lieutenant Colonel W. L. Bear, Adjutant A. C. Reinohl, Captain W. H. Lanius, Colonel D. W. Rowe, Major E. M. Schrock, Colonel Langhorn Wister, Colonel W. H. Blair, General Harry White, Major B. J. Reid, General S. D. Oliphant, Colonel T. M. Bayne, Captain Robert Pollock, Lieutenant James Stocking, Thomas P. White, Colonel H. Allen, Captain L. N. Flynt.

Captain W. R. Jones, of Cambria, was permitted to read the following resolution, passed by the soldiers of Cambria county, which was referred to the committee on resolutions:

Resolved, That as our choice for President and Vice-President in 1868, we declare ourselves in favor of that great and true patriot and soldier, U. S. Grant, and the tried and faithful soldiers' friend, A. G. Curtin, of Pennsylvania, and we request our delegates to the Pittsburg convention to present the names of General Grant and Governor Curtin before that body for nomination to the highest offices in the gift of the people.

The committee on permanent organization made a report as follows, which was adopted:

President—General Joshua T. Owen, of Philadelphia.

Vice-presidents—General S. D. Oliphant, Lieutenant Howard Bruce, Private Thomas V. Cooper, Captain Yeager, Colonel William B. Thomas, Captain William R. Jones, Captain Robert Pollock, Captain Brice X. Blair, Major John C. Harvey, General James Nagle, Colonel William H. Speakman, Colonel Samuel Knorr, Colonel C. P. Rogers, Captain Henry Conner, General J. R. Herron, Lieutenant Harry Strickler, Captain H. N. Brenneman, Captain W. W. Hopkins, Colonel T. M. Bayne, Colonel John K. Robinson, Colonel E. A. Mast, Lieutenant George W. Fox, Lieutenant W. W. Gibson, Captain John P. Dillinger,

Sergeant Augustus Davis, Sergeant A. J. Elliott, Captain Warren Cowles, Colonel Harrison Allen, Captain J. W. Stevens, and Colonel Gideon Clark.

Secretaries—Captain G. Washington Fenn, Sergeant A. J. Schrack, Captain W. R. Davis, Captain John G. McConnell, Lieutenant T. Boyer, and Private E. C. Reed.

A motion to adjourn to four o'clock was lost.

SPEECH OF GENERAL JOSHUA T. OWEN.

Generals Collis, of Philadelphia, and Barnes, of Allegheny, escorted General Owen to the chair, who was received with great applause, and said:

COMRADES: I return you my heartfelt thanks not only for myself but for the city of Philadelphia, whom you have honored by electing me to this position. It seems to me that all the circumstances and surroundings here tend to show clearly to every man present that this convention is the most important held in Pennsylvania for many years. Who are you that are assembled here in this iron city, the conduct of whose citizens during the war has immortalized it?

Fellow-soldiers, who by concert of action in the field saved the government and preserved the proud banner under which you fought, what do you propose to do? Not to revolutionize parties or to introduce any new doctrines, but simply to determine that the institutions of the country shall be so permanently established, and the fruits of the war so thoroughly gathered, and the principles evolved by the contest of arms be so incorporated into our statutes, that peace shall be as lasting as our victory was complete. The politicians are somewhat excited as to what we may do, but they need have no fear if they are true to the principles and traditions of our government; but if they are false they will find we are combined against them. You have proven to the whole world that you are willing to sacrifice your lives for your country, and if you were trusted with the destinies of the Union, and if on the 3d of July, 1863, on the plains of Gettysburg, where our liberty and the honor of the flag were in jeopardy, you proved yourselves equal to the task of securing the one and vindicating the other, why may you not in civil life be trusted as well? Let me feel the hand of a comrade, and since his baptism of blood I will wager my life he is true to his country. Under the general character of the call of the convention, all honorably discharged soldiers and sailors were invited to attend, and in providing for the best interests of the soldiers and sailors is it not the duty of this convention to indicate its preference for the true soldier, to one who during the whole struggle did all in his power to cripple the operations of the government in its efforts to suppress the rebellion? [Long and continuous cheering.] Is it not to our common interest that loyal men only shall be elected to office? I find upon these banners which adorn the stage emblazoned the names of Lookout Mountain, Wauhatchie, and Missionary Ridge, and we know who in those battles illustrated the prowess of Pennsylvanians by his deeds of valor. General John W. Geary, by his conduct in those terrible battles, has endeared himself to us and all the true men of the State.

General Owen referred to topics of general interest to soldiers, viz: the increase of pensions to widows and orphans, equalization of bounties to volunteers, and the granting of places of honor and profit to those who have been faithful to their country on the battle-field, and concluded as follows: Who shall give utterance to the rallying cry of the future? What ties shall bind together the hosts whose concert of action shall make perpetual the peace conquered by your arms? The generals who by their skill have made the American name immortal, and the officers and men whose common suffering in a common cause have united them together with ligaments of steel.

General Collis offered the following:

Resolved, That the delegates to this convention pledge themselves to conform to and indorse the action of this convention.

The chairman ruled that this should be considered as a motion, and as not coming under the resolution that all resolutions offered to the convention should be referred to the committee without debate.

The resolution was opposed by Captain E. H. Rauch, of Berks, who regarded it as an imputation upon the integrity of the delegates.

The resolution, after some discussion, was almost unanimously adopted by a rising vote.

The convention, on motion, adjourned until half past four o'clock.

AFTERNOON SESSION.

The convention reassembled at half past four o'clock. Brigadier General J. S. Brisbin, of the regular army; Colonel T. E. Rose, of the 77th Pennsylvania volunteers; honorable W. C. McCarthy, mayor of the city; Colonel William Diehl, Major Patterson, and Colonel John K. Murphy (the latter three soldiers of 1812) were requested to take seats on the platform.

Captain Storrie, of Philadelphia, spoke. He thanked Allegheny county for the reception of the Philadelphia delegates, and complimented her on her large Union majorities. The convention was called to demand justice for the soldier, and the hero of Lookout mountain should be our next governor. The voice comes from every soldier's grave, "Be faithful."

On motion of Captain W. B. Coulter, the soldiers' State organization was entitled the "National Union of the Boys in Blue."

General Brisbin, of the regular army, next addressed the convention. He was glad Pennsylvania's soldiers had taken steps to organize to protect the liberties of the country, and that they will oppose all who are not for the country. The men who carried the flag are the proper politicians of the country, and when they cast their ballots unitedly the result will be a foregone conclusion.

General Negley addressed the convention briefly, but eloquently, and said he was always ready to again answer the call of the country.

Adjourned till 8 p. m.

EVENING SESSION.

General Fisher, from the committee, reported the following resolutions; which were unanimously adopted amid great cheers:

Whereas we, the representatives of the soldiers and sailors of Pennsylvania, assembled in convention, in obedience to a call recognized and formally acted upon throughout the commonwealth, having in remembrance the sufferings and trials endured in the successful struggle against a gigantic rebellion, and being determined to perpetuate the great principles established by our arms and sanctified by the blood of our comrades, do resolve—

1. That we return to the Omnipotent Ruler of the Universe our sincere and heartfelt thanks for the crowning victory vouchsafed to our efforts against a rebellion which had for its object the destruction of our great republic.

2. That the tender care exercised by our government and people for the remains of our martyred heroes, for their widows and orphans, commands our warmest gratitude.

3. That it is contrary to public policy and subversive of the great principles won by patriotic blood to permit any to hold offices of honor or profit under the general government who, by word or deed, embarrassed the Union armies, or cast odium on the cause for which they fought.

4. That the soldiers of Pennsylvania should organize in their respective counties to take care that the triumph of our army be not fruitless, and the just results of our great endeavors remain ungathered by concessions of any of the material points at issue in the struggle to the defeated party, or by yielding advantages fairly won; and we propose the following platform as the basis of organization:

5. That such treatment should be accorded to the defeated foe as the most chivalric magnanimity requires, but without yielding a principle compromising the right, or, above all, deserting an ally.

6. That such and so many guarantees shall be demanded from the south, and incorporated in the national Constitution, as are necessary to prevent recurring of rebellion, secure justice and freedom to all men of all classes, conditions, and colors, and to guard the national faith from violation.

7. That rebels ought not to be precipitated into power before such guarantees have been obtained, and that accordingly Congress, to which rightfully pertain all questions of reconstruction, are to be cordially sustained in their demand for such guarantees.

8. That with the beginning of the war this nation took a new departure, and henceforth her Constitution is to be read in the interest of liberty, justice, and security, according to the lights of its preamble and the immortal Declaration of Independence, under the teachings of its authors and compatriots. Too long already has it been interpreted in the interest of slavery and caste.

9. That Major General John W. Geary having given just evidence of his devotion to the Union during the great rebellion by volunteering in its defence and serving faithfully during the war, when many like Heister Clymer, who now claims to be equally patriotic, were rendering aid and comfort to the rebels, and he now being before the people of Pennsylvania as a candidate for the office of governor, we, his fellow-soldiers in that time of trial, pledge to him our hearty support, and ask the same for him from all those who acknowledge the debt of gratitude due from the country to its saviors.

10. That the soldiers of Pennsylvania recognize no warmer or truer friend than Governor Andrew G. Curtin. His name is our watchword, his fame our hope, and his merit our glory. The unswerving love of the "soldiers' friend" will be reciprocated by unfaltering devotion.

11. That we appeal hopefully to Congress for a speedy question on the equalization of bounties to the soldiers.

12. That believing that treason is a crime and that "traitors should be punished," we demand that leading traitors should be convicted and executed as an example to traitors for all time to come.

13. That this convention is able to express its sentiments upon the whole matter of issues and candidates in a few words, which may answer for our banner inscriptions in the coming campaign—"God Grant Geary victory."

14. That the legislation whereby Congress attempted to defend and protect our allies, the loyal men of the south, against the deadly hatred of the common enemy, and to make good to a race the freedom proffered as the price of aid and awarded as the due of loyalty, deserves unqualified approval.

15. That we request Congress so to legislate as to protect American industry by high protective tariff.

Colonel T. M. Bayne offered the following as the minority report of the committee:

Resolved, That the loyal majority in Congress deserve our gratitude, that radical evils require radical remedies, and that the nation should take no step backward in its march to the grand destiny that surely awaits unfaltering, persistent adherents to the cause of equal freedom.

Colonel Bayne prefaced his resolution with a speech. He said there was not a word in the resolutions offered by the committee indorsing Congress. Soldiers were indebted to the loyal members of Congress during the war for support, and it would not do now to go back on those members for Andy Johnson or any other man.

Captain Hutchinson, of Center, advocated the passage of the resolution. He said that no man could say that Congress was not right, and in our hearts we have not a particle of respect for Andy Johnson; and if there were any demo-

crats present they would say that in their hearts they had no respect for him. He contended that, in violating the pledges he made to us, Andy Johnson had departed from the platform on which we placed him by our bayonets and ballots, for without us he would still be nothing. If we believed Johnson betrayed us let us say so, because he could do more injury then than he can now, by working secretly against us.

Mr. Israel Becker, a delegate from Berks and secretary of the Reading Democratic Club, arose to speak, when General Collis asked him if he intended to conform to the proceedings of the convention or to vote for Clymer.

After some equivocation he said he would vote for Clymer.

General Collis: The presence of the delegate is an insult to the convention.

Captain Connor, of Philadelphia, moved that two one-legged soldiers be appointed a committee to escort the Berks county delegate out of the convention, Captain Conner offering to be one of the two.

As the indignation was intense, the copperhead delegate quietly retired at the suggestion of the chairman.

Captain Fuller, of Fayette, offered an amendment approving of the proposed amendments to the Constitution approved by the United States Senate. He hoped no resolutions denouncing President Johnson would be adopted until his treachery was proved. He believed that harmony would soon exist between the President and Congress, and did not think it politic to give up until all hope of this was gone.

Major Schenck, of Lancaster, asked who felt any pride in the Pennsylvania senators at Washington? He was in favor of standing by the popular branch of Congress, and asked where were Johnson's monuments of justice, no matter how many monuments of mercy he might have. Let us stand by Congress and make treason odious. He referred to the carpets which had been ordered by the President for Jeff. Davis, in order that his (Jeff's) nerves might not be disturbed by the footfalls of the passing sentry. Those who had sojourned in Libby would remember the comforts there provided. The sins of Judas, compared with those of Andrew Johnson, sunk into utter insignificance.

General Fisher said the committee on resolutions were as radical as any person in the convention could desire, and thought they had covered even this in the resolutions. He would sooner indorse Senator Cowan than Andrew Johnson, and much rather vote for the resolution than the amendment offered to it. If he was not a radical, and did not so express himself in the convention, he would not dare to return to his home in Lancaster county, where they taught their children to hate Andrew Johnson.

On motion, Captain Fuller's amendment was voted down, and Colonel Bayne's resolution adopted almost unanimously, and with immense applause.

Captain Thomas L. Kane, of McKean, offered the following resolutions; which were adopted without discussion:

Resolved, That the differences of rank established by law for the government of the army of the United States were respected by the American soldiers with pride; but that the late grave emergency having passed away, it is time for a free people to examine how far such distinctions were necessary for the maintenance of military discipline, and how far they were copied without reflection from the service regulations of European and oligarchical countries, where the ranks are recruited from one class of the population and commanded by another.

Resolved, That the distinction drawn between the rank and file and commissioned officers and their families, if convenient in the field, is uncalled for at home, and it should not be continued on the pension rolls of the United States; that, as no man has more than one body and one life to expose upon the field of battle, persons should be equalized, not by a reduction of the pittances al-

ready accorded commissioned officers, but by elevating all to a standard wo. hy of the opulence, generosity, and grandeur of the nation.

A resolution to send copies of the proceedings to the President, Congress, Generals Grant and Geary, and Governor Curtin, was adopted.

Captain Fenn offered the following, which was referred to the committee on resolutions :

Resolved, That the soldiers of Pennsylvania view with jealousy and alarm certain indications pointing towards the release of Jefferson Davis, the great arch-traitor of the land, on bail or otherwise, and it is believed with a view to his discharge eventually. We protest, in the name of the past and of the future of our country, against any action that will relieve Davis from his just deserts—to wit, execution for the crime of treason.

A number of other resolutions were offered, but no action taken upon them.

A resolution concerning the death of General Scott was adopted.

On motion, General Owen was authorized to appoint a State central committee, General Owen to be chairman.

Resolutions of thanks to the railroads for free passes to delegates, and to Manager Henderson for the free use of the Academy of Music, were adopted.

The convention adjourned *sine die* about eleven p. m., with three rousing cheers and a "tiger" for General Geary.

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 122.

CONSTITUTIONAL AMENDMENT.

LETTER

FROM THE

CLERK OF THE HOUSE OF REPRESENTATIVES,

FORMING

the House that he did this day present to the President of the United States a certified copy of the concurrent resolution adopted on the 18th instant.

JUNE 19, 1866.—Laid on the table and ordered to be printed.

CLERK'S OFFICE, HOUSE OF REPRESENTATIVES U. S.,
Washington, D. C. June 19, 1866.

SIR: I have the honor to state that, as directed by you, I have this day presented to the President a certified copy of the concurrent resolution adopted on the 18th instant by the Senate and House of Representatives, requesting the President to transmit forthwith to the executives of the several States of the United States copies of the article of amendment proposed by Congress to the State legislatures, to amend the Constitution of the United States, passed June 13, 1866.

Very respectfully, your obedient servant,

EDWARD MCPHERSON,
Clerk House of Representatives United States.

Hon. SCHUYLER COLFAX,
Speaker House of Representatives United States.

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 123.

LETTER

FROM THE

SECRETARY OF THE TREASURY,

IN ANSWER TO

Hon. E. B. Washburne, relative to the exportation of cattle bones from ports in Asia to the United States infected with rinderpest.

JUNE 23, 1866.—Referred to the Committee on Commerce and ordered to be printed.

TREASURY DEPARTMENT, *June* 22, 1866.

SIR: I have just received from the State Department, and herewith have the honor to transmit for such action as you may deem necessary, copy of a despatch (No. 263) from the United States consul at Beirût, dated 12th ultimo, and relating to the exportation of bones of cattle from certain districts in Asia infected with the "rinderpest." The opinion of the Surgeon General of the United States is annexed to the despatch. It is proper for me to add that no importations of bones from that distant region are probably ever devoted to such uses in this country as would tend to spread disease among its cattle.

Very respectfully,

H. McCULLOCH,
Secretary of the Treasury.

Hon. E. B. WASHBURNE,
Chairman Committee on Commerce, U. S. House of Reps.

No. 263.] CONSULATE OF THE UNITED STATES,
Beirût, Syria, May 12, 1866.

SIR: I have the honor to submit herewith an extract from a letter just received from the United States consular agent at Sidon:

"I have the honor to inform you that some merchants in this city collect throughout the country the bones of animals to send them to Europe and other countries.

"It is known to you that the cattle plague has raged for some time in some parts of the districts of Bilad Bishara, and especially in the district of Merj Ayoun, and as it is more than probable that these collectors collect also the bones of the infected cattle, and in sending them they would consequently send the disease to the country to which the bones are exported, * * * therefore, I take the liberty to submit the case to your consideration, * * * to prevent the spreading of this disease to the United States."

I have the honor to be, sir, your very obedient servant,

J. AUG. JOHNSON,
United States Consul.

Hon. WILLIAM H. SEWARD,
Secretary of State.

DEPARTMENT OF STATE,
Washington, June 15, 1866.

SIR: I transmit herewith, for your consideration and opinion, a copy of despatch No. 263, dated May 12, 1862, from the United States consul at Beirût, Syria, relative to the importation to this country of the bones of cattle that have died of the "rinderpest," or "cattle plague."

I am, sir, your obedient servant,

F. W. SEWARD.
Assistant Secretary.

General J. K. BARNES,
Surgeon General U. S. A.

DEPARTMENT OF STATE,
Washington, June 15, 1866.

Hon. F. W. Seward, Assistant Secretary of State, transmits copy of despatch No. 263, dated May 12, 1866, from the United States consul at Beirût, Syria, relative to the importation to this country of the bones of cattle that have died of the rinderpest, or cattle plague.

Respectfully returned to the honorable Secretary of State, with the opinion that the importation of the bones of cattle which have died of the rinderpest, or other infectious epizootics, is calculated to spread the disease, and should be prohibited.

J. K. BARNES,
Surgeon General.

SURGEON GENERAL'S OFFICE, *June* 18, 1866.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 124.

LEGAL RESTRICTIONS UPON THE COMMERCE IN MONEY.

MEMORIAL

OF THE

PHILADELPHIA BOARD OF TRADE

TO THE

Congress of the United States, praying for the abolition of legal restrictions upon the commerce in money, with the report of a special committee of their executive council, upon the usury laws, May 21, 1866.

JUNE 26, 1866.—Referred to the Committee on Commerce and ordered to be printed.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

The memorial of the Philadelphia Board of Trade respectfully represents, that in view of the progress of legislation abroad, and of opinion at home, founded upon the experience of the most commercial nations in Europe, it is desirable that all legal restrictions upon the commerce in money, and upon rates of interest for its use, should be abolished.

The report of a special committee of the executive council of this board is herewith respectfully submitted, accompanied by copies (published by authority) of a report of a select committee of the British House of Commons, "appointed to consider the effects of the laws which regulate or restrain the interest on money," dated May, 1818, with the evidence appended; and also of a report from a select committee of the House of Lords, appointed (in session of 1841) "to inquire into the effect of the alterations made in the laws regulating the interest on money," with the testimony appended; and also copies of three acts of Parliament, dated respectively 17th July, 1837; 29th July, 1839; and 10th August, 1854, in abrogation of their usury laws.

Your memoralists respectfully urge that, by the fourth and sixth paragraphs of section VIII of the first article of the Constitution of the United States, Congress is invested with authority to regulate commerce among the several States, and to coin and regulate the value of money.

The life-blood of commerce is money; and in all ages and among all people its complete regulation has been among the proper attributes of the supreme national authority.

If Congress should respond to this appeal by legislation, it is respectfully assumed that in the absence of special contract between borrowers and lenders, the rates for the use of money established in the several States should rule. And there may be minor exceptions to a general repeal of restrictions, as in the act of the British Parliament of 1854, and such as may be suggested by any local exigencies.

Firmly believing that when the truths involved shall be generally understood, Congress and the American people will not long suffer themselves to be behind the civilized world in their laws relative to the commerce in money, your memorialists respectfully pray that all the documents accompanying this petition shall be ordered to be printed for general information; and that the whole subject shall be referred to a committee, to be reported upon by a bill or otherwise in substance declaring that all laws of the several States and of the United States impairing the obligation of *bona fide* contracts for the use or forbearance of money shall be inoperative and void; except that in the absence of such contracts the local laws in existence shall rule, and providing that State police legislation governing pawnbrokers shall be sanctioned and confirmed.

All of which is respectfully submitted.

JOHN WELSH,
President of the Philadelphia Board of Trade.

A. J. PERKINS, *Secretary.*

PHILADELPHIA, *May* 21, 1866.

EXECUTIVE COUNCIL OF THE PHILADELPHIA BOARD OF TRADE, *May* 21, 1866.

Mr. Tatham, on behalf of the committee appointed to prepare a memorial to Congress, praying that the commerce in money shall be made absolutely free, offered the following report:

It is curious and instructive to trace the history of legislation, of human opinion, and of general conduct upon the subject of compensation for the use of money.

The usury alluded to and sometimes condemned in the Old Testament, from Exodus to Ezekiel,* appears to have been the withholding of charity. The people were commanded to give or lend to the poor; that they were to take no pledge, nor to exact a recompense from a needy brother. From a stranger they might take usury.

In the New Testament, in the parable of the ten talents, (Matthew and Luke,) the receipt of interest for money is spoken of without reproach, and as an established custom.

Among the Athenians, Solon, who seems to have been in this respect far in advance of our later ages, placed no restriction whatever upon the commerce in money. Even among the Romans there were no prohibitory laws until three hundred and ninety-eight years after the foundation of the city, when the tribunes of the people prohibited the receipt of more than twelve per cent. for the use of money.

Ten years later, according to Livy, the rate of interest was reduced to six per cent.; and five years after (three hundred and forty years before Christ,) the receipt of any interest for the use of money was totally prohibited, at the instance of an incendiary demagogue, the tribune Marcus Genutius. According to Livy and Tacitus, as quoted by Montesquieu,† these and other legal interferences produced their natural results. They were either entirely evaded and failed of effect; or, when enforced, they led to civil disturbances and bloodshed.

The monkish ignorance and superstition of the dark ages led to the enactment of laws in restraint of borrowing and lending, from the influences of which the civilized world is not yet entirely free.

We have it upon the authority of Locke, in 1691, that in Holland there was no restriction upon the price of the use of money. "Every one there may hire

---

* For thirteen references, see Cruden's Concordance.

† Montesquieu de l'Esprit des Lois, livre xxii, chap. 22.

out his money as freely as anything else, for whatever rate he can get, and the bargain being made, the law will enforce it." Their law is the same to-day.

The philosopher Locke, one hundred and seventy-five years ago,* advanced all the leading arguments against legal restrictions upon the commerce in money that were afterwards, in 1787, reproduced with so much causticity and effect by Jeremy Bentham. Undoubtedly the example of other nations had its effect in England; but to the influence of Bentham's celebrated letters in "Defence of Usury" must be greatly attributed the subsequent parliamentary inquiries, and the legislation of Great Britian.

The history of the progressive abolition of the usury laws in Great Britain is so remarkable, and the instruction is so applicable to our case, that a short sketch of it, and a synopsis of the evidence upon which the several acts of Parliament were based, will furnish nearly all the proofs, illustrations, and arguments for a full elucidation of the subject.

The old statute-books of the Parliaments of England, Scotland, and Ireland contain numerous enactments, intended, at first, entirely to prohibit, and subsequently (about 1545) to fix a legal rate of interest for money by limiting it to ten, to eight, six, or five on the hundred. The multiplication of these laws proves how futile must always be the endeavor to fix by statute a thing in itself necessarily variable.

In 1818 the House of Commons appointed a committee to investigate the subject. They took the evidence of the leading merchants, bankers, brokers, lawyers, and land agents in London, which was reported to the house at length, and ordered to be printed.

It appeared in testimony that in Holland, in Hamburg, the Hanse Towns (with the exception of Frankfort,) in Austria, Leghorn, and Genoa, there is no restriction whatever upon the hire of money. In Frankfort and in Prussia interest is restricted to five per cent. upon real security, but upon commercial paper there is no limit. In France, by the Code Napoleon, interest on real security is restricted to five per cent., and on bills to six per cent., with fines and penalties so arranged as if intended to be disregarded, as in practice they are.

It appeared further, that where there had been for years the least restriction, as in Holland, there the common rates for money were always the lowest.

There was, of course, diversity of opinion in the evidence before the parliamentary committee, but the investigation established the following points:

First. That it was impossible to enforce the laws against usury. They were believed to be evaded in every country in the world. Mr. N. M. Rothschild said, "he was not aware of any country where the usury laws were not evaded." At periods during the continental wars the governments were constantly breaking the usury laws themselves.

Second. That there is a natural rate of interest for money, which varies with the proportions of supply and demand; the supply and demand depending upon the profits upon money employed in other ways than in lending.

Third. That the restriction upon the rate of money had a tendency to drive capital away to countries where it was allowed to earn its natural return.

Fourth. That the usury laws tended to raise the rate of interest; because, when the natural rate was above the legal rate, the cost to the borrower was increased by the expenses of the circuitous and illegal methods adopted, and by the additional risk run by the lender, and by the fact that the quantity of money employed in lending was diminished by the operation of the law.

Fifth. That the law pressed severely upon the owners of land during the periods when money was dear, they being obliged, in order to raise money, to grant annuities for lives, which sometimes raised the rate actually paid to twelve or fifteen per cent.

* In a letter to a member of Parliament, entitled "Considerations of the lowering of interest and raising the value of money." Locke's works. Quarto. Vol. 2. Edit. 1768.

Messrs. Samuel Gurney and N. M. Rothschild, with others, in 1818, thought that the repeal of the usury laws might be a benefit to capitalists, but would be injurious to the trading interests; and, although the report of the house committee was in favor of a repeal, no immediate action by Parliament appears to have followed.

The discussion still continued before the public; and fifteen years afterwards, in 1833, after another committee of the House of Commons had reported, Parliament passed a law exempting bills of exchange and promissory notes discounted by the Bank of England, and not having more than three months to run, from the operation of the usury laws.

In 1837 a law was passed, until 1840, exempting bills of exchange and promissory notes, not having more than twelve months to run, from the operation of the laws against usury.

In 1839 another law was passed, until 1842, continuing the exemptions of the last act, and exempting also all contracts for the loan or forbearance of money, provided they were not secured upon real estate.

In 1841 the House of Lords appointed a committee to inquire into the effects of these changes that had been made in the laws in relation to money.

This committee examined the same classes of persons who had testified in 1818, and the evidence elicited was now more satisfactory, complete, and more nearly unanimous.

Mr. Samuel Gurney, who in 1818 had doubted the wisdom of the repeal, made a complete and voluntary recantation of his former opinion, and declared that the changes had been very beneficial.

The testimony now taken established, among the benefits of the repeal of the laws against usury—

First. That the Bank of England was enabled to discount all good paper offered in times of difficulty. Excessive offerings were checked by simply raising the rate, and not by an arbitrary rejection of paper.

Second. That in times of great pressure fewer failures occurred than had happened in similar emergencies before the change, inasmuch as capital was now permitted to flow freely to the points of the most intense pressure.

Third. That the change had augmented the amount of money employed in the commercial market at the periods when it was most wanted.

Fourth. That the higher rates of interest paid by some parties after the repeal were yet lower than the same parties had paid by indirect methods before the repeal.

Fifth. That the rate of interest paid upon mortgages remained, as before, unaffected by the transient changes of the money market. Although six per cent., or more, had been paid upon commercial paper, the interest on mortgages remained at three and a half to four.

Sixth. That the change was generally popular, and that a return to the old system would be deemed a grievance and a hardship.

Seventh. That the existing state of the law was uncertain. Restriction was the general rule, there being certain enumerated exceptions. It should be a simple law; for, otherwise, persons were entrapped into the commission of usury wholly without intention.

Upon the 10th of August, 1854, the complete emancipation of money in Great Britain was effected by a statute, the first section of which runs as follows:

"1. That the several acts and parts of acts made in the Parliaments of *England* and *Scotland*, *Great Britain* and *Ireland*, mentioned in the schedule hereto, and all existing laws against usury, shall be repealed."

The schedule annexed includes no less than twenty acts of Parliament.

And thus were finally abolished in Great Britain the whole of those laws

made in the dark ages, which were then considered necessary for the protection of the people.

The theories of Locke and Bentham thus achieved a remarkable and magnificent triumph. That which was abstract reasoning with them, after the closest official scrutiny has been adopted by the most cautious of legislatures, and is an accomplished fact to-day. For twelve years past, the most extensively commercial people in the world have enjoyed all the predicted advantages of the change, unaccompanied by any of the evils that had formerly been imagined.

In France and Spain, and elsewhere, many of the medieval laws are still retained. For instance, the law fixes the price of bread and of butcher's meat.

In the United States we trust our women to buy their daily bread, without apprehension that the bakers will take advantage of their necessities; but we cannot trust our men to borrow money at a market rate for fear the lenders might take advantage of their hopes.

This committee of the Philadelphia Board of Trade cannot permit themselves to doubt that when the truths above established shall become generally understood, the American people will not long remain behind the progress of the age in intelligent legislation.

By the Constitution of the United States, among the general powers enumerated under section VIII of the first article, Congress is expressly authorized to regulate commerce among the several States, and to coin money and regulate the value thereof.

It is not to be questioned that the trade in money, which is the life-blood of commerce, is entirely within the constitutional control of the national legislature.

In all ages, and among all people, the regulation of the monetary currency in every aspect has been among the proper attributes of the supreme national authority.

This committee have, therefore, prepared, and now submit to the executive council of the Board of Trade, a memorial to the Congress of the United States, praying that the commerce in money shall be rendered absolutely free from all restriction *(exceptis exceptandis,)* and in the absence of special contracts for the use of money, that the rates provided by the existing laws of the several States shall rule; and further praying that this memorial and report, with the accompanying documents, being copies of the reports of the two committees of the British Parliament of 1818 and 1841, with the testimony appended, published by authority, and also copies of the three acts of Parliament, dated respectively the 17th July, 1837, the 29th July, 1839, and the 10th August, 1854, in abrogation of their usury laws, shall be printed for general information.

JOHN WELSH,
G. N. TATHAM,
S. V. MERRICK,
F. FRALEY,
J. PRICE WETHERILL,
J. C. GRUBB,
Committee.

PHILADELPHIA, *May* 21, 1866.

CAP. LXXX.

AN ACT to exempt certain bills of exchange and promissory notes from the operation of the laws relating to usury.—*17th July*, 1837.

Whereas, by an act passed in the fourth year of the reign of his Majesty King William the Fourth, intituled "An act for giving to the corporation of the

governor and company of the Bank of England certain privileges for a limited period, under certain conditions," bills of exchange and promissory notes made payable at or within three months after the date thereof, or not having more than three months to run, and certain transactions in respect of such bills, were exempted from the operations of the statutes relating to usury, and it is desirable to extend such exemptions:

Be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the lords, spiritual and temporal, and commons, in this present Parliament assembled, and by the authority of the same, That from and after the passing of this act, and till the first of January, one thousand eight hundred and forty, no bill of exchange or promissory note made payable at or within twelve months after the date thereof, or not having more than twelve months to run, shall, by reason of any interest taken thereon or secured thereby, or any agreement to pay, or receive, or allow interest in discounting, negotiating, or transferring the same, be void, nor shall the liability of any party to any bill of exchange or promissory note be affected by reason of any statute or law in force for the prevention of usury; nor shall any person or persons or body corporate drawing, accepting, indorsing, or signing any such bill or note, or lending or advancing any money, or taking more than the present rate of legal interest in Great Britain and Ireland, respectively, for the loan of money on any such bill or note, be subject to any penalties under any statute or law relating to usury, or any other penalty or forfeiture, anything in any law or statute relating to usury, or any other law whatsoever in force in any part of the United Kingdom, to the contrary notwithstanding.

CAP. XXXVII.

AN ACT to amend and extend until the first day of January, one thousand eight hundred and forty-two, the provisions of an act of the first year of her present Majesty for exempting certain bills of exchange and promissory notes from the operation of the laws relating to usury.—*29th July*, 1839.

Whereas, by an act passed in the first year of the reign of her present Majesty, intituled "An act to exempt certain bills of exchange and promissory notes from the operation of the laws relating to usury," it was enacted that bills of exchange payable at or within twelve months should not be liable, for a limited time, to the laws for the prevention of usury; and whereas the duration of the said act was limited to the first day of January, one thousand eight hundred and forty; and it is expedient that the provisions of the said act should be extended:

Be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the lords, spiritual and temporal, and commons, in this present Parliament assembled, and by the authority of the same, That from and after the passing of this act no bill of exchange or promissory note made payable at or within twelve months after the date thereof, or not having more than twelve months to run, nor any contract for the loan or forbearance of money, above the sum of ten pounds sterling, shall, by reason of any interest taken thereon or secured thereby, or any agreement to pay, or receive, or allow interest in discounting, negotiating, or transferring any such bill of exchange or promissory note, be void, nor shall the liability of any party to any such bill of exchange or promissory note, nor the liability of any person borrowing any sum of money as aforesaid, be affected by reason of any statute or law in force for the prevention of usury; nor shall any person or persons or body corporate drawing, accepting, indorsing, or signing any such bill or note, or lending, or advancing, or forbearing any money as aforesaid, or taking more than the present rate of legal interest in Great Britain and Ireland, respectively, for the loan or forbearance of money as aforesaid, be subject to any penalties under any statute

or law relating to usury, or any other penalty or forfeiture; anything in any law or statute relating to usury, or any other law whatsoever in force in any part of the United Kingdom, to the contrary notwithstanding: *Provided always*, That nothing herein contained shall extend to the loan or forbearance of any money upon security of any lands, tenements, or hereditaments, or any estate or interest therein.

II. *Provided always, and be it enacted*, That nothing in this act contained shall be construed to enable any person or persons to claim, in any court of law or equity, more than five per cent. interest on any account or on any contract or engagement, notwithstanding they may be relieved from the penalties against usury, unless it shall appear to the court that any different rate of interest was agreed to between the parties.

III. *Provided always, and be it enacted*, That nothing herein contained shall extend or be construed to extend to repeal or affect any statute relating to pawnbrokers, but that all laws touching and concerning pawnbrokers shall remain in full force and effect, to all intents and purposes whatsoever, as if this act had not been passed.

IV. *And be it enacted*, That this act shall continue in force until the first day of January, one thousand eight hundred and forty-two.

V. *And be it enacted*, That this act may be amended or repealed by any act to be passed in this session of Parliament.

CAP. XC.

AN ACT to repeal the laws relating to usury and to the enrolment of annuities.—10*th August*, 1854.

Whereas it is expedient to repeal the laws at present in force relating to usury:

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the lords, spiritual and temporal, and commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. The several acts and parts of acts made in the Parliaments of England and Scotland, Great Britain and Ireland, mentioned in the schedule hereto, and all existing laws against usury, shall be repealed:

II. *Provided always*, That nothing herein contained shall prejudice or affect the rights or remedies of any person, or diminish or alter the liabilities of any person, in respect of any act done previously to the passing of this act.

III. Where interest is now payable upon any contract, express or implied, for payment of the legal or current rate of interest, or whereupon any debt or sum of money interest is now payable by any rule of law, the same rate of interest shall be recoverable as if this act had not been passed:

IV. *Provided always*, That nothing herein contained shall extend or be construed to extend to, repeal or affect any statute relating to pawnbrokers, but that all laws touching and concerning pawnbrokers shall remain in full force and effect, to all intents and purposes whatsoever, as if this act had not been passed.

Schedule referred to by the foregoing act.

ACTS AND PARTS OF ACTS OF THE PARLIAMENTS OF ENGLAND, GREAT BRITAIN, AND THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

37 Hen. 8, c. 9. The whole of an act passed in the thirty-seventh year of the reign of King Henry the Eighth, intituled "A bill against usury."

13 Eliz., c. 8. The whole of an act passed in the thirteenth year of the reign of Queen Elizabeth, intituled "An act against usury."

21 Jac. 1, c. 17, made perpetual by 3 Car. 1, c. 4, s. 5. So much of an act passed in the third year of the reign of King Charles the First as enacts that an act passed in the twenty-first year of King James the First, intituled "An act against usury," be made perpetual.

12 Car. 2, c. 13. The whole of an act passed in the twelfth year of the reign of King Charles the Second, intituled "An act for the restraining the taking of excessive usury."

Confirmed by 13 Car. 2, Stat. 1, c. 14. So much of an act passed in the thirteenth year of the reign of King Charles the Second, intituled "An act for confirming an act intituled 'An act for encouraging and increasing of shipping and navigation,' and several other acts, both public and private, mentioned therein," as confirms the hereinbefore-mentioned act of the twelfth year of the same reign.

12 Anne, Stat. 2, c. 16. The whole of an act passed in the twelfth year of the reign of Queen Anne, intituled "An act to reduce the rate of interest, without any prejudice to parliamentary securities."

53 Geo. 3, c. 141. The whole of an act passed in the fifty-third year of the reign of King George the Third, intituled "An act to repeal an act of the seventeenth year of the reign of his present Majesty, intituled 'An act for registering the grants of life annuities, and for the better protection of infants against such grants, and to substitute other provisions in lieu thereof,'" except so much thereof as repeals the said act of the seventeenth year of King George the Third.

3 Geo. 4, c. 92. The whole of an act passed in the third year of the reign of King George the Fourth, intituled "An act to explain an act of the fifty-third year of the reign of his late Majesty, respecting the enrolment of memorials of grants of annuities."

7 Geo. 4, c. 75. The whole of an act passed in the seventh year of King George the Fourth, intituled "An act to explain an act of the fifty-third year of the reign of his late Majesty, respecting the enrolment of memorials of grants of annuities."

5 & 6 W. 4, c. 41. So much of an act passed in the session of Parliament holden in the fifth and sixth years of the reign of King William the Fourth, intituled "An act to amend the law relating to securities given for considerations arising out of gaming, usurious, and other illegal transactions," as relates to securities given for considerations arising out of usurious transactions.

13 & 14 Vict., c. 56. The whole of an act passed in the session of Parliament holden in the thirteenth and fourteenth years of the reign of her present Majesty, intituled "An act to continue the act for exempting certain bills of exchange and promissory notes from the operation of the usury laws."

ACTS OF THE PARLIAMENT OF SCOTLAND.

An act of the eleventh Parliament of King James the Sixth, chapter fifty-two: "It is not lesum to take ane greater annual rent for the 100 poundes nor ten poundes, or five bolls victual."

An act of the fourteenth Parliament of King James the Sixth, chapter two hundred and twenty-two: "For punishment of committers of usury."

An act of the fifteenth Parliament of King James the Sixth, chapter two hundred and fifty-one: "It is not leasum to take mair annuall rent or profet nor ten for the hundreth."

An act of the sixteenth Parliament of King James the Sixth, chapter seven: "Explanation of the acts of Parliament anent ocker and usury."

An act of the twenty-third Parliament of King James the Sixth, chapter twenty-eight: "Anent taking of annual rent beforehand to be usurie."

ACTS OF THE PARLIAMENT OF IRELAND.

An act of the tenth year of King Charles the First, session two, chapter twenty-two, intituled "An act against usury."

An act of the second year of Queen Anne, chapter sixteen, intituled "An act for reducing of interest of money to eight per cent. for the future."

An act of the eighth year of King George the First, chapter thirteen, intituled "An act for reducing the interest of money to seven per cent."

An act of the fifth year of King George the Second, chapter seven, intituled "An act for reducing the interest of money to six per cent."

REPORT BY THE LORDS COMMITTEES APPOINTED A SELECT COMMITTEE TO INQUIRE INTO THE EFFECT OF THE ALTERATIONS MADE IN THE LAWS REGULATING THE INTEREST ON MONEY, AND TO REPORT THEREON TO THE HOUSE.

Ordered to report that the committee have met, and examined several witnesses upon the subject; and have directed the evidence taken before them, together with an index thereto, to be laid before your lordships.

List of witnesses.

Die Lunæ, 24° Maii, 1841, George Warde Norman, esq., a director of the Bank of England; Samuel Jones Loyd, esq., banker; George Carr Glyn, esq., banker.

Die Jovis, 27° Maii, 1841, Sir John William Lubbock, baronet, merchant and banker; Samuel Gurney, esq., bill-broker.

Die Martis, 8° Junii, 1841, Joseph Maynard, esq., solicitor; James William Freshfield, jr., esq., solicitor to the Bank of England; James Cook, esq., produce-broker.

Die Jovis, 10° Junii, 1841, George Warde Norman, esq., a director of the Bank of England; Mr. George John Graham, an official assignee of the court of bankruptcy.

Minutes of evidence taken before the select committee of the House of Lords appointed to inquire into the effect of the alterations made in the laws regulating the interest on money.—(*Session* 1841.)

Die Lunæ, 24° *Maii*, 1841.

The lord president in the chair.

George Warde Norman, esq., is called in and examined, as follows:

1. You were a director of the Bank of England both previously to and subsequently to an act being passed in the fourth year of his late Majesty, by which the bank promissory notes were exempted from the law relating to usury?—I have been a director of the bank for twenty years, which of course includes that period.

2. Were you at that time acquainted with the grounds upon which the bank made an application for that exemption?—I was examined before a committee of the House of Commons in the year 1832, on which occasion I expressed a strong opinion that it was desirable that the usury laws should be modified, so as to enable the bank to demand a rate of discount higher than five per cent.

3. Will you state what inconveniences you had observed upon the previous state of the law which induced you to come to that conclusion?—I considered that whenever the market rate of interest was above five per cent., while the law prevented the bank from discounting at a higher rate than five per cent.,

the bank would be driven either to adopt expedients with a view to keeping its issues within proper bounds, which would be exceedingly inconvenient to the public, such as an arbitrary rejection of bills, confining the sum employed in discounts to a fixed amount, shortening the echeance of bills to a very inconvenient extent, or that the bank under such circumstances would be compelled to over-issue.

4. Have circumstances occurred since the law was passed in which, had it not been for the law giving that exemption, material inconvenience would have been experienced by the bank?—Yes; I think that had the law not been altered great inconvenience might have been experienced by the bank in the year 1839.

5. Will you state the nature of that inconvenience?—The inconvenience to which I referred in a previous answer, viz: the circumstance of the rate of interest out of doors having risen to more than five per cent., while the law would have prevented the Bank of England from raising its rate of discount above that limit.

6. Is it your opinion that such circumstances must in the course of events from time to time recur?—Certainly; I think so. During the late war the rate of interest, owing chiefly to the constant demands of government on the money market, was doubtless above five per cent. for considerable periods together, and without having had recourse to some extraordinary and inconvenient expedients, such as those mentioned in a previous answer, I do not see how the bank could have avoided over-issuing.

7. The inconvenience would not have been confined, the committee understand you to say, to the bank itself, but would have extended to the commercial public generally?—I conceive so. I think it is always desirable, for the sake of the public, that any restrictive measure which the bank is compelled to adopt should, as far as possible, act generally, and not partially.

8. Have you, on the other hand, heard complaints of inconvenience arising to any class of individuals from the relaxation of the law respecting usury?—I have heard no complaints of inconvenience implying a wish that the usury laws should be restored. Of course, among men engaged in business, the circumstance of their being obliged to pay a higher rate of discount than five per cent. is not, generally speaking, popular; they prefer accommodation on cheap to that on dear terms.

9. Are you of opinion that the power of requiring more than five per cent. interest ought from any circumstance to be confined to notes issued by the governor and company of the Bank of England, or that it ought to be extended to other companies and other individuals?—My decided opinion is that the usury laws are injurious generally, and that the power of lending money at above five per cent. ought not to be confined to the Bank of England.

10. But without reference to any general alteration or abolition of the usury laws, supposing the exemption to be confined to the interest payable on promissory notes, you do not see reason for making any distinction between those of the Bank of England and those of other bodies?—Certainly not.

11. You state that the law as it now stands is rather unpopular with some of the commercial men; but is it not the case that the discount would very often be refused unless a higher rate of discount than five per cent. could be demanded?—I was misunderstood if it be supposed that I meant that the alteration of the law was unpopular among commercial men, for certainly I am not aware that it is so. As far as my knowledge of commercial men extends, I think it popular, and that a return to the old system would be very unpopular. I merely alluded to the obvious circumstance that at a time when a man who wants discount is charged an increased rate of interest he would naturally prefer a lower rate of interest. Speaking generally, I do not think the present state of the law at all unpopular, and I feel perfectly convinced that borrowers, and

especially needy borrowers, are particularly benefited by the change that has been made.

12. You mean that this power of demanding a higher rate of interest is used by the bank as a check upon the amount of discounts, instead of closing it up altogether, when it is required to reduce such discounts on account of the state of the exchanges?—I mean that at a period when a contraction in some shape or other has become the duty of the bank, to raise the rate of discount is, under certain circumstances, the most expedient means, either of absolutely diminishing the amount discounted, or of rendering that amount less than it would be provided the rate of discount had not been raised.

13. Would not a great many individuals obtain accommodation under those circumstances who would be refused it altogether were no such facility afforded to the bank by law?—I conceive that the tendency of such a measure is to reduce somewhat the amount of discount demanded by each person so as to spread the accommodation more generally, and that therefore persons would receive accommodation under the existing state of the law who would not receive it provided the former restrictions were restored.

14. During the periods of great manufacturing distress in 1839 and 1840, was the present law considered to have been useful to the manufacturers, or the contrary?—I have no particular knowledge of the state of the manufacturing districts, but I have always regarded with surprise and admiration the way in which the mercantile pressure of 1839 was borne. It was very severe, and the number of failures of consequence was certainly small; and I cannot help attributing in some degree the manner in which that pressure was sustained—comparing it with what had occurred on similar occasions previously, such as in 1826—to the state of the law, which enabled capital and loanable accommodation to flow into those channels where it was most wanted and could be best paid for; in fact, into its natural channels.

15. And you think that in former years, when the rate of interest was limited to five per cent., capital did not flow so naturally into those channels where it was most wanted?—I cannot doubt that it did not. I cannot doubt that there were many occasions in which mercantile men who, by paying eight, or nine, or ten per cent., or some high rate of interest, might have obtained the accommodation they required, were driven to ruinous sales, or some expedient for raising money which was infinitely more prejudicial to them.

16. The present law enables them to sustain a severe pressure?—Not being in business myself, I cannot speak from a practical knowledge, which some other persons possess; but such is my opinion.

17. Do the Bank of England discount bills for the manufacturing districts?—Our branches do.

18. Was any great amount of accommodation given by the Bank of England or their branch establishments in 1839?—The amount of discounts, both in London and at the branches, very considerably increased in 1839.

19. Do you know what was the increase in the rate of interest during that period of distress?—No. The rate of interest must have varied according as the bills had a long or a short period to run, or according to the validity of the names upon them.

20. Do you think the present law has the effect of inducing many persons to speculate beyond their capital, or the fair and legitimate means of trade?—I cannot conceive that it can have any such effect.

21. Would you approve of the relaxation of the rate of interest being unlimited, or would you prefer it being limited higher than five per cent. to some certain amount?—I can see no reason why it should be limited at all. It seems to me that to fix the maximum rate of interest by law differs not in principle from fixing a maximum price upon commodities. Of course in any case it would be necessary to fix some rate of interest which a person prosecuted at law should

have to pay upon a debt, but more than that I cannot conceive can be necessary.

22. Leaving it then to individuals to settle the rate of interest between each other?—Undoubtedly; thinking that the lender and the borrower know their own interests better than the legislature can possibly know them.

23. And following in all respects the ordinary relation of supply and demand?—Certainly,

24. When you speak of the market rate of interest being above five per cent., how could that be when the usury laws existed, which prohibited more than five per cent. being given?—The legislature cannot really fix the rate of interest, any more than it can fix the prices of commodities; it can only impose obstacles to the natural action of the money market. There are many modes of evading the usury laws, and that seems to me to be one of their numerous evils, for those modes of evasion are frequently demoralizing to all parties, and most onerous to the borrower. Among them may be mentioned a charge of commission, the sale of annuities, or the borrowing on continuation.

25. And in fact, therefore, they become more oppressive than an increased rate of interest paid in a legitimate manner?—Doubtless so. I should conceive in a great majority of cases the usury laws are eminently prejudicial to borrowers; they drive them to worse channels of accommodation; in some cases the lender must be paid for the risk he runs in violating the law.

26. So that in fact they are most prejudicial to the party for whose benefit they were enacted?—So I conceive, undoubtedly.

27. Can you state to what extent the circulation of the bank was increased in 1839, when their discounts were increased?—I have not the accounts with me; but the circulation of the bank was diminished in 1839. The bank sold securities, and used other contractive means.

28. Are you aware whether the circulation of country banks was increased by granting the same accommodation in discounts at the same period?—I dare say that the country banks acted as the bank did; that they were compelled to use contractive means. I see no reason to imagine that the raising of the rate of discount should have increased their issues; but the accounts are all published, and can be seen.

29. Can you state to the committee whether any resolution has been adopted by the court of directors of the Bank of England upon this subject since the notice was given of this committee in Parliament?—I can read to the committee the following resolution, which was passed upon the 13th of May by the court of directors: "*Resolved*, That the modification of the usury laws at present existing has contributed greatly to facilitate the operations of the bank, and is essential for the proper management of its circulation."

30. And it is your opinion that the same principle would hold good with respect to every other banking establishment?—I conceive it to be desirable for the public that all dealers in money should have the same power of asking what they think expedient for their commodity, as dealers in other articles for theirs; that borrowers and lenders, like buyers and sellers, should adjust their bargains without any legal interference.

31. You think that if the law was to revert to its original state, and the legal interest could not be more than five per cent., it would be upon the whole felt as a grievance by the mercantile and banking community?—Most assuredly it would be felt as a great grievance by those with whom I am in the habit of associating; and I should think, as far as I can judge, generally.

32. Can you state the effect of any alteration recently made by the bank with respect to the echeance of bills?—The shortening the echeance of bills discounted by the bank from ninety-five to sixty-five days is a contractive expedient, the effect of which is to raise the rate of discount in the market upon all bills having a longer time to run than those that are received by the bank. I believe

it produced that effect last year, and perhaps when first adopted. It is a more stringent measure than simply raising the rate, but it would not altogether replace that measure, because in a short time bills would be drawn in such a form as to come within the bank rules, and it might still become necessary to have the power of raising the rate.

33. What induced the bank to adopt that measure last year?—It was a measure which had been frequently thought of, and under the circumstances of the case it was considered expedient to try it, instead of directly raising the rate of discount, as had been done the year before.

34. Was the example followed by other banking establishments who were in the habit of discounting?—In times of pressure bankers are always unwilling to discount long-dated bills. Long-dated bills are those upon which it is first difficult to raise money. But other bankers do not impose upon themselves the rules which the Bank of England adopts; there is no fixed period beyond which they refuse to take bills.

35. Then, the example of the bank was not generally followed last year?—I dare say it was very difficult to obtain discount for long-dated bills, from the circumstances to which I allude, viz: that bankers wish in times of pressure to keep their funds as much within their own control as they can.

36. But you think that many of those persons who were in the habit of obtaining discount from the bank, and whose bills did not come within the rules of the bank, found accommodation elsewhere?—Yes.

37. And that probably at an increased rate of interest?—Yes.

38. They would probably try to find accommodation for the intermediate period between ninety-five and sixty-five days?—Yes.

39. Is that system in operation now of shortening the echeance?—Yes; the bank limit at present is sixty-five days.

40. Notwithstanding there is less pressure now than there was when the rule was adopted?—Yes. I may remark that it was only about the year 1822 or 1823 that the bank commenced discounting bills having more than sixty-five days to run; therefore the measure of discounting bills having ninety-five days to run was itself a modern measure.

41. What was the period at which it was discontinued?—Last autumn.

42. You said that persons would soon adapt their bills to the new regulation of the bank shortening the echeance; has that been the case?—After the echeance was shortened there was a severe pressure, only for a short period, and I cannot say that I have observed the occurrence of that circumstance recently; but supposing the law to exist in its ancient form, and supposing the bank compelled to shorten the echeance as a contractive expedient, I have not the least doubt but that within a short time a much larger proportion of bills would be prepared, so as to fall within the bank rules, in which case the bank might be compelled to shorten the echeance further to forty-five or even to thirty days, or to reject bills in mass.

43. According to the custom of trade, what is the date for which bills are drawn from the United States?—I am not able to answer that question.

44. But in common transactions you do not consider that a bill of ninety days is a very long date?—No; in some trades bills are drawn at twelve months' date; but six months I should say was very common.

45. But previously to the limitation of the echeance by the resolution to which you are now adverting, what was the usual proportion of long bills and short bills?—I do not know without reference.

46. Were not the bills from beyond sea generally long bills?—I cannot say; it did not matter at what date the bill was originally drawn, if, when tendered for discount, it had not, formerly, more than ninety-five days, and now not more than sixty-five days, to run.

47. Do not the same parties frequently renew the same bills upon their expi-

ration for another sixty-five days?—Such things are done, but are not considered altogether very creditable transactions in a mercantile house, except under particular circumstances.

48. Has the bank, at the same time that it curtailed the echeance of bills, reduced the rate of discount to the original rate of five per cent?—The rate of discount was reduced from six to five per cent. about the beginning of last year.

49. At the time when the bank discounted bills at ninety-five days?—Yes, and it still continues to be five per cent.

50. And in no case does the bank take a higher rate of interest than that now?—No; we have only one rate of discount.

51. You have stated that the Bank of England rate of discount is five per cent.; can you state whether the general rate of discount is five per cent., or more or less, at present?—Of course it varies according to the quality of the bills. I have no particular knowledge on the subject, but I should consider that the market rate of discount on fair bills was fully five per cent. now. Two or three months ago it was under five per cent.

52. In speaking of a long bill or a short bill, do you mean bills of sixty-five days, or bills of ninety-five days, or where do you draw the line?—I can hardly say. I consider a bill at two months to be a short bill, and a bill at six months a long bill.

53. But there is no distinct line?—I believe not.

The witness is directed to withdraw.

Samuel Jones Loyd, esquire, is called in and examined, as follows:

54. Have you been engaged in business both before and after the time that the relaxation of the usury laws was enacted with respect to interest payable on promissory bills?—I have been engaged in business both before and after that period, but principally since the relaxation.

55. Were you sufficiently engaged in business previously to the relaxation to be able to state to the committee any amount of inconvenience which, in your judgment, was experienced in the commercial relations of this country from the want of such relaxation?—My observation upon the subject has had reference more particularly to the period subsequent to the relaxation. But when speaking of the consequences which I conceive have ensued both from the operation of the law and from the subsequent relaxation of it, I beg to be understood as being guided rather by general considerations than by personal observation of the results in particular cases.

56. Are you of opinion that considerable convenience has been experienced from that relaxation during the period you have been engaged in business?—I think that the relaxation of the law has been productive of considerable convenience to the mercantile world, and that many evils have been obviated by it.

57. What would have been the effect upon trade, under any given circumstances that have existed during any given time, had that relaxation not been enacted by law?—Had the law which fixed the maximum rate of discount at five per cent. been maintained in operation, it would have produced inconveniences of two kinds. In some cases parties requiring the command of money would have been unable to obtain it, and would consequently have been subjected to many very serious evils, such as forced sales of their goods at ruinous prices, injury to their general credit, and in many cases actual suspension of their payments; in other cases parties would probably have obtained the money by resorting to circuitous contrivances for the purpose of evading the law, which would necessarily have entailed upon them great additional trouble, discredit and expense.

58. Would that inconvenience have been great if the relaxation had extended only, as at first it did extend, to the interest payable upon bills discounted by the Bank of England?—The inconvenience would certainly have been great in

that case. It is not very easy to trace in detail the consequences which would have ensued; but it must be perfectly clear that when the real market value of money and the rate at which the Bank of England discounts are above five per cent., the different parties by whom that money is distributed throughout the trading community would be driven to many awkward and very inconvenient contrivances, if they could not directly charge a rate of discount equivalent to the real market value of money at the time. They would of course limit their advances upon discount as far as they possibly could, and endeavor to employ their capital through some other channel, in which, directly or indirectly, a higher rate of interest could be obtained; consequently those persons who sought money through discount would find a greatly increased difficulty in obtaining it, and of course the pressure of this inconvenience would fall principally upon the persons who, holding an inferior class of securities, or being themselves of dubious responsibility, could present the least temptation to the lenders.

59. Would that inconvenience have been felt to the extent, in your opinion, of increasing the number of bankruptcies in periods of difficulty or alarm?—I have no doubt that every artificial obstruction to the free distribution of capital among the different branches of the trading community tends to produce embarrassment and bankruptcy.

60. Are you of opinion that there are many bankers who would continue to advance money to shopkeepers and others at five per cent., if the amount of interest was limited to that, even were the ordinary rate of interest above that?—It is very probable that, even if the ordinary rate of interest was above five per cent., and if the legal charge upon discount was limited to five per cent., there would still be advances made by bankers through the form of discounts. Those advances the banker would of course endeavor to reduce to the smallest possible amount. In making that reduction the bankers would reduce the amount of their advances upon discount more or less efficiently, according to the character and value of the customer with whom they were dealing; an inferior class of customer would probably have discounts refused them altogether, and a superior class of customer would have a more limited amount accorded to them. In reality the compensation to the banker for his loss in advancing money upon discount at a rate below its real value would be found in the value of the accounts kept with him by the parties to whom such advances were made. Those who kept an account with the banker valuable on other grounds, would, in proportion to the banker's estimate of the value of their accounts, still have a proportion of his funds advanced to them upon discount; whilst to other classes of customers such advances would be altogether refused, or they would be made in some other form by which the operation of the usury law might be evaded.

61. So that the most needy person in trade would suffer the most from not being able to obtain an advance at more than five per cent.?—Undoubtedly.

62. Do you discount bills yourself?—Frequently.

63. Have you any objection to state to the committee at what date the bulk of the bills are drawn, that you discount?—Not the least objection. I should say upon the average from two to three months, not at all meaning by that that there are not a great many bills discounted that have a longer period to run than three months, and many which have not so long to run as two months.

64. Are there periods in which you make a distinction between long and short bills, in which you diminish the number of long bills that you discount, and continue to discount short bills only?—Our regulation with regard to the character of the bills that we discount is continually varying more or less, according to the varying state of the money market. When money is valuable, of course the rules with regard to the character of the bills we discount, and especially as regards the length of time that they have to run, are more strict; when money is less valuable, the rules are relaxed.

65. Do you impose any limit at all yourself as to the length of the bills you discount?—The ordinary limit is, that we do not discount bills having more than three months to run; but under peculiar circumstances bills are discounted having a longer period to run; bills for six and even twelve months; but those are occasional only, and indeed rare occurrences.

66. Have you had an opportunity of observing the effect of the resolution to which the Bank of England recently came, of limiting the echeance at which they consented to discount bills?—I cannot say that I can distinctly trace the practical effect of that measure in particular instances; but I have no doubt that at the time the measure was announced it produced a beneficial effect, in contracting confidence and credit, and in limiting the efficiency of the circulation then afloat. It had also a tendency to shorten generally the period at which bills were discounted.

67. So that it led other bodies and individuals, who are in the habit of advancing money, to follow in some degree the same track, by giving a preference to short over long bills?—It certainly tended to produce a general contraction of credit.

68. And you think that effect was, upon the whole, beneficial?—I have no doubt of it.

69. Would the same effect have been produced by raising the rate of discount?—The same effect in many respects would have been produced. The tendency of both measures, raising the rate of discount, and shortening the echeance, is to produce a contraction ofer edit, and to raise the value of money, by diminishing the demand for it which can be made by the public upon the Bank of England. This is effected in the one case by raising the price which must be paid for money, and in the other by limiting the amount of bills which can be presented for discount.

70. Would not the operation of that alteration be in the first instance severe upon persons connected with the trade of the United States and the East Indies?—I am not aware that it would affect those more seriously than other classes of traders. The trade to the East Indies is generally conducted upon a longer credit than most other trades, on account of the distance, and therefore the great lapse of time that is requisite to bring the returns round; but a large portion of that length of credit must always be borne by means of the resources of the parties entering into the trade. When the bank altered its echeance from three months to two months, I do not apprehend that the effects of that measure would fall with more severity upon trades carrying on their business upon very long credit, than upon those who carry it on at a shorter credit, provided the resources of the parties were proportionate to the length of credit usually required in the trade in which they were embarked.

71. Were the restriction upon the amount of interest to be resumed, as it was previous to the 4th of William the Fourth, have you any doubt that considerable inconvenience would ensue to the commercial world?—I have no doubt whatever that a restriction upon the rate of interest to five per cent. would, whenever the real market value of money rose above five per cent., be productive of considerable inconvenience. It would disturb the natural course of transactions, and divert capital, to a greater or less extent, from the channels in which it would otherwise flow.

72. But the law might be evaded even then?—The usury laws in all countries and at all times have been evaded to a very great extent, and much of the evil that would really ensue from the actual enforcement of the law is obviated by that course; but I apprehend that the evasion necessarily entails considerable inconvenience and expense upon the parties resorting to it; in other words, upon the borrowers.

73. What effect do you think the relaxation of the usury laws had upon the manufacturing districts during the period of the distress in 1839?—I cannot

doubt that its tendency is to alleviate the inconvenience of pecuniary pressure, by enabling capital to flow in all directions, according to the intensity of the demand.

74. And you think that great relief was actually afforded during 1839 by the law as it at present stands?—I do believe firmly that many inconveniences that otherwise would have occurred were obviated by the state of the law alluded to.

75. The manufacturing interest would, in your opinion, be exposed to those inconveniences now if the law was to revert to its former state?—Certainly. I do not know that the manufacturing interests are more concerned than any other interest in this question. I should say all persons having to carry on their concerns, or relying for the regular discharge of their engagements at all times upon the facility of obtaining money upon loan or discount, would, by the re-establishment of the usury law, be exposed to serious inconvenience whenever the real value of money should exceed the legal rate.

76. In short, all persons relying upon credit?—Yes.

77. Upon which most concerns in this country are now carried on?—Undoubtedly.

78. At what rate do you discount bills?—The rate of the Bank of England at present is five per cent. The market rate till lately has been under that, but at the present moment it is about five per cent.

79. You mean, of course, the rate upon good bills?—Yes; the fair average market rate.

80. Have you ever heard any complaints among the mercantile community, or the manufacturing community, of the law as it now stands?—When the rate of interest is rising I have heard many persons say that they do not like paying so high a rate; that so many months ago they were paying a lower rate, and that they are sorry to find the rate higher now. Just as in any other case, when the price of any article rises the purchasers do not like it, and in many cases give expression to that feeling.

81. Would it not be the case that those persons who complain of that rise in the rate of interest would be without the accommodation if the law did not permit that increase of interest to be charged?—Certainly; if I, as a banker, was, in consequence of the state of the law, driven, by a regard to my own interests, to employ my money in other channels instead of advancing it to my customers upon discount, because they cannot legally pay me the real value of money, the complaints of the parties thus deprived of their usual supply of money upon discount would of course be of a much more serious and pressing kind.

82. And that rise in the rate of interest is not arbitrary, but is dependent upon the value of money in the market?—Certainly; in a country where there has been an immense accumulation of capital, and in which, therefore, there exists an intense competition among the lenders of money, it is hardly possible that the value of money, that is, of capital, can be arbitrarily maintained above its natural level. If a banker or any other person was known to be charging more than other parties were charging, he would soon lose the power of employing his funds in that form, and he would suffer in the other interests of his concern infinitely more than any advantage that he could gain by his attempt to exact an excessive rate of interest.

83. The laws of competition operate upon that as upon everything else?—Precisely.

84. During the period of great commercial pressure in 1839, can you state to the committee to what amount the rate of discount upon good bills reached?—The average rate of discount by bankers, I should say, never exceeded six per cent. I do not mean that there were no transactions at a higher rate, but they bore a small proportion to the mass of transactions which were adjusted at six per cent.

85. Can you give the committee any idea of the amount of bills discounted in

any given time, taking one time with another?—I could not give an estimate. I can only state generally that the amount is immense.

86. During the great commercial distress that existed in 1839 and in 1840, and the great drains that there were upon the Bank of England, were the generality of bills discounted as low as at six per cent.?—Many discount transactions I do not doubt were adjusted at rates varying from seven up to ten per cent.; but if you were to look into the books of the bankers in London I believe you would find that five-sixths of their discounts were at six per cent.

87. What was the highest rate demanded by the bank at that period?—Six per cent.

88. Are a vast amount of bills from Liverpool and Manchester, both mercantile and manufacturing, discounted in London?—A great many; and when I say that they were discounted at six per cent., I ought to observe that I am judging rather from the average rate shown by the transactions of bankers. If you were to look into the accounts of bill-brokers and persons of that kind, I am inclined to believe that their average rate of discount at the period in question would be found to have been something above six per cent.

89. Are country bankers in the habit of sending up bills to London to be discounted?—That is done by many country banks.

90. Would they not very often be prevented from procuring assistance which might be of the utmost importance to them, were the amount of interest strictly limited to five per cent.?—Those that rely upon discounts of course would be exposed to inconvenience; but I apprehend that the effect of such a restriction would be rather to teach them the necessity of relying upon other resources; they would rest more upon the sale of government securities, and less upon the discount of bills.

91. You do not consider that the law, as it at present stands, gives any undue facility to procuring money upon transactions that are not real?—I do not perceive in what way the present state of the law can be considered as giving undue facility to such transactions. I should think the tendency of the law must rather be to put down those indirect modes of raising money which are proverbially pernicious to the parties who resort to them.

92. Does any detriment appear to you to arise from the relaxation of the law with regard to usury?—No; I think the relaxation of the law is a measure founded upon sound general principles, and that you may safely trust to the results proving beneficial and not detrimental to the community.

93. Is the law as it at present stands injurious to retail dealers, as they complain that they are not able to obtain money at the rates they formerly did before the law was changed?—I do not conceive that the law as it now stands can by any possibility be really injurious to retail dealers. An impression seems to exist on their part that it is within the power of usury laws to fix a maximum price upon loans of money without thereby interfering with the regularity or the sufficiency of the supply of it, and thus injuring the interests of the borrowers. Every class of consumers would, upon this principle, call for laws to fix the maximum price which the producers should be permitted to charge for the commodities which they respectively supply. With respect, however, to all other commodities, it has long been recognized that free competition between the purchaser and the producer is the surest mode of securing regularity in the supply, and in the end cheapness of price; and that any attempt to interfere by law with that free competition would fail to secure lower prices, and must in the end prove injurious to the interest of the consumers. A contrary impression with regard to money still remains on the minds of some classes, especially of small tradesmen; and the continuance of this impression with regard to money, after it has been repudiated with regard to all other things, is attributable, I conceive, to the indirect sanction given to that impression by the long continuance of the usury laws. I feel confident, however, that no valid reason exists for supposing

that money is not subject, like every other commodity, to the general law which determines that free competition is the best mode of securing the interests of all parties concerned.

94. May not the facility of getting money in this way induce individuals to carry on a losing speculation, so that in the end nothing is left for their creditors?—In proportion to the facility of obtaining money, of course there will exist a facility for carrying on concerns either beneficial or of an opposite character; but I apprehend more mischief than good would arise from any attempt on the part of the legislature to supply the place of individual prudence and discretion in such matters.

95. Do you think that there exists a desire in the mercantile community and among bankers that the present law, which is now temporary, should be made permanent?—I think there is a general feeling that the usury laws are laws which belong to a bygone age, and that it would be wise altogether to discard them.

96. And the operation of the present law has been considered so satisfactory, that those opinions are now confirmed by experience?—That is my own opinion, certainly, and the opinion of most of those with whom I associate; I should say that it is the opinion of a large majority.

97. And you are not aware of any dissentient opinion?—I cannot say that; I certainly meet with individuals who still entertain doubts about it, and who are not satisfied with the results; but I must say that they never appear to me to assign reasonable grounds for their opinion.

98. Are those objectors to be found among the borrowers or the lenders?—They are principally among the borrowers; but now and then among the lenders I find persons who entertain such an opinion.

99. When you speak of the general feeling, you speak of the general feeling of the commercial community?—Yes.

100. Not of the community at large?—I can only say, that of those with whom I am brought into intercourse, a very large majority consider the usury laws to have been founded upon false principles, and that they ought to be repealed.

101. Do you consider that the removal of the restriction has had the effect of extinguishing or materially diminishing the number of those well-known discreditable lenders who succeeded by circuitous means, previously to that law, in obtaining very large interest for money?—I cannot say that personally I have had knowledge of those parties; my view is founded more upon general considerations than upon actual personal knowledge of the transactions that took place under the operation of the usury laws; but I have no doubt whatever that the suspension of those laws has removed some of the impediments which previously existed to the free distribution of capital, the existence of which impediments necessitated parties to resort to very circuitous practices for the purpose of evading them. A statement of the nature and effect of those practices appears in the evidence before the committee of 1818, and I have no doubt they continued subsequently to that evidence, the same as then described.

102. The only effect of the law being, therefore, to raise the rate of interest to the borrower?—The effect of the law being, where it was evaded, to increase the expenses of obtaining money to the borrower, and where it was not evaded, to drive him to other means far more injurious to his interests.

103. Would an expensive young gentleman find a greater facility of raising money now than he did before?—I do not know that I am more competent to answer that question than any other person, but I apprehend that before the alteration of the law, persons so circumstanced did find, without very great difficulty, the means of raising money, but that the effect of the law was to throw them into the hands of less reputable people, and also on other accounts to subject them to very heavy expenses for the risk and trouble and discredit of the

proceeding. Under the present state of the law it is possible that the money might be obtained through channels a little less disreputable and a little less costly; but I do not think the alteration that has taken place in the law really affects cases of the sort contemplated in the question.

104. A person of that description would not be able to get any credit from a banker, or a person who was in the habit of discounting bills?—No.

105. He would go to the class of persons that he went to before?—Yes; that class of transactions are quite out of the line of commercial transactions.

106. Would the person to whom he was in the habit of applying before, lend the money now upon the terms on which he formerly lent it, or upon lower terms?—I really do not know; but I should think that the alteration of the law which we are now discussing would not materially affect the process.

107. What do you conceive would be the effect or has been the effect of that restriction in the rate of interest upon the employment of bankers' money?—I apprehend that during the war, when the market value of money was above five per cent., and the legal rate of discount was limited to five per cent., the effect was to create a general inducement with bankers and other lenders of money to employ as small a portion as possible of their funds in discounts, and as large a portion as possible in other channels, principally in supporting transactions in the public funds; so that in fact it diverted a portion of capital, which would otherwise have been employed in discount business, to the stock market, where, when the real value of money is above five per cent., the legal restriction can be easily evaded.

108. So that in fact the mass of accommodation to the small trader was thereby actually diminished?—I conceive diminished to a very considerable extent.

The witness is directed to withdraw.

George Carr Glyn, esquire, is called in and examined, as follows:

109. You have been in business both previously to and subsequently to the time when the limitation upon the rate of interest of money was relaxed by the legislature, as far as respected promissory bills?—I have.

110. Can you state whether any inconvenience was experienced from the want of that relaxation, previously to the act of William the Fourth, and what have been the effects of that relaxation since?—There was considerable inconvenience experienced from the want of the relaxation; and as far as can be collected from the short experience we have had, I can speak to the great convenience that has resulted from the relaxation.

111. Can you state the nature of the inconveniences, generally, that were experienced before the relaxation, and what class of persons were more particularly affected by them?—The money-dealers in general felt the inconvenience to a very considerable extent. As a banker, I may say that it prevented us from carrying on the usual system of discount for a particular class of customers, namely, shopkeepers, and factors and retail dealers, during the time when the actual market value of money exceeded five per cent. It also, I think, tended to encourage speculation in the London market in all foreign securities bearing a comparatively high rate of interest.

112. So that in fact the number of persons that you could accommodate under those circumstances was necessarily reduced?—We, as a part of a system, have always acted upon a cessation of discounts to a particular class of our customers, from the consideration that there is a description of bill in the market which ought, under ordinary circumstances, to carry with it a higher rate of interest than is generally the case upon the first-rate mercantile security.

113. On account of the inferiority of the security?—The inferiority of the security.

114. Were you at all governed in the diminution of the amount of bills

discounted, besides the fact of the degree of insecurity attaching to parties, by the length of the bills for which discount was demanded ?—Yes; also by the length of the bills.

115. Have you, since the relaxation has taken effect, heard many complaints from parties, on occasions on which you were justified, by the state of the money market, in requiring them to pay more than five per cent. ?—I cannot charge my memory with a single instance of a complaint of any party for having been charged more than five per cent. during the short period in which that was the practice. I know many instances in which parties have expressed themselves under obligation at our taking paper at six and six and a half per cent., from the recollection which they had that under former circumstances we had positively refused to discount similar paper.

116. Have you any doubt that the tendency of your refusal, and that of others similarly circumstanced, to discount bills, in consequence of not being able to charge more than five per cent. interest, would be to increase the number of bankruptcies among the retail dealers applying for discounts ?—Whether it would actually increase the number of bankruptcies I am not prepared to say, but that it would increase most materially the difficulties under which that particular class of traders found themselves placed I have no doubt. I recollect perfectly that under the old system there was a possibility on the part of those small traders of getting their bills discounted under certain circumstances by the payment of an enormous commission upon them, which amounted to a much higher rate of discount, when calculated as interest, than that which is charged under the present system.

117. Can you state the proportion between long and short bills that you are in the habit of discounting ?—The bills that are generally discounted in London by bankers are bills of three and under three months ; there are many of longer date ; probably one-fourth of the whole amount would exceed three months.

118. Has, in your opinion, the resolution recently come to by the Bank of England, to limit the period of echeance of bills that they discount, had the effect of introducing a corresponding practice among bankers and others who are in the habit of discounting ?—No, it has not. We have been content to charge a higher rate of interest on the longer bills, but have not acted upon any absolute refusal of them.

119. What is the highest and what is the lowest rate of discount ?—The period during which these higher rates were charged did not last more than six or eight months, and the highest rate that we ever charged was six and a half per cent., from six to six and a half, generally.

120. What is the present rate ?—The present rate is five per cent.

121. Is any commission charged now ?—No commission is ever charged in London by bankers ; the bill-brokers and intermediate agents occasionally charge a commission.

122. What is the actual interest paid in those cases ?—It depends upon the character of the parties ; I believe five per cent. is the charge, but a small commission in some cases. One important operation of this act has been to draw temporarily a great deal more money into the discount market ; during the time of pressure the quantity of money that was drawn into the discount market from the increased rate of interest was very considerable, and that tended to relieve the moneyed interest and the dealers in London.

123. You are alluding to 1839 ?—Yes, and the beginning of 1840, during which the pressure existed in London.

124. Do you conceive that it must have afforded great relief in the manufacturing as well as the agricultural districts ?—As far as my knowledge would enable me to say, it afforded grea trelief. I have conversed with many bankers and mercantile men, and I have seldom found any difference of opinion upon the subject, as regards those statements which have been made of parties having

been ruined from paying a higher rate of interest. It is not correctly applicable to the new system; on the contrary, parties are now able, I should say, to get money at a cheaper rate, because, as the dealers in money have a larger supply and can charge more than five per cent. legitimately, they are not driven into the hands of those intermediate parties who were, in point of fact, eating them up by the commission charged.

125. In fact they are now able to go to respectable sources, which formerly they were precluded from doing?—I take the liberty to give the instance of our own house under the new system; we have discounted for shopkeepers in London in time of pressure; formerly we did not do it. We employed nor money at the highest rate of discount we could get, five per cent., but upon the most undoubted securities.

126. Does the bill-broker always intervene between the principal borrower and the lender?—No, not always.

127. Where he does, you cannot tell what rate of interest is paid by the borrower?—Except as a matter of information derived from brokers.

128. What is the commission that they charge?—From an eighth to a quater, generally speaking.

129. The only person who runs a risk is the person who lends his money?—That depends upon the transaction with the third party. The party who gives the money to the broker may say, and very oftendoes, "I demand your guarantee upon this." The practice of the bill-brokers in London is to buy the bill of the party; it becomes his, and therefore he can afford to get rid of it with his guarantee if he wants to raise money at the time.

130. He carries it to a banker?—Yes; or sends it to a country banker, or keeps it on his own resources.

131. Are you in the habit of discounting bills from Manchester and Liverpool?—Not direct. The transactions of Manchester and Liverpool are now very much conducted through the bankers there; the London brokers do a great deal of business with those places through the local bankers.

132. You are not able to say, from your own knowledge, what amount of relief the present law has given to manufacturers?—No, I am not.

133. If a young gentlemau wants money, can he get it through a bill-broker?—If his security is good.

134. Does the present state of the law afford him facilities for getting money which he had not before?—I suppose a young gentleman must go through the same process as he did go before; he must go to the money-dealer, and he will charge him according to the character of the security of the young gentleman; that was the practice before, and I think continues to be the case; I think it likely that the money-dealer, if he is responsible, may now have some greater facility in getting a bill discounted through his banker.

135. That is owing to his personal responsibility, and has nothing to do with the other transaction?—Exactly.

136. You do not consider that the present law gives any undue facility to those unreal transactions?—I have no reason to believe that it gives them an additional facility.

137. Have you ever heard complaints of that in the bankruptcy court?—I have heard of complaints in the bankruptcy court that there was a system carried on in London which would very often destroy a man's estate, but I have not heard complaints of a stronger character recently than were made before the law was altered.

138. Have you not heard that in the last four years there have been most gross instances of ruin being brought upon parties from the high rate of interest charged?—I have heard of instances in the last four years, and I have heard of instances before, of the same process being gone through, and the same effect produced, before the relaxation of the law.

139. But attributable to the change in the law?—No, not attributable to the change in the law.

140. You speak of more money having been brought into the market by these means during the crisis of 1839 and the beginning of 1840; from whom did that money come?—The instances to which I allude, of my own knowledge, are the lending of large sums of money by insurance companies and other large bodies in the city, that otherwise would have employed them in the public funds.

141. Instead of investing the money in the public funds, they brought it to the bill market?—The inducement of the high rate of interest led them to bring their money to the bill market.

142. Which was so far a facility to the borrowers?—Temporarily it was so far a facility to the borrowers.

143. As far as you know, there is a general feeling of satisfaction among mercantile and commercial men with the law as it now stands?—Decidedly; as far as my personal experience goes, the opinion of mercantile men generally is in favor of the present state of the law.

144. And that it should be made permanent?—Yes.

145. Do you apprehend that the alteration in the law has had any effect upon the premium given upon exchequer bills?—I think that is almost a natural consequence; it has affected the price of foreign securities most materially, and that is a most important and beneficial object as regards the operation of this law; of course, if it affects that description of securities, it would affect our own in some degree.

146. In what way?—It has diverted that money which otherwise would be employed in foreign securities into the discount market.

147. The person who under former circumstances would have bought exchequer bills, to replace the money that he might not want, now lends it out at a higher rate of interest?—Yes.

148. The market, then, could not bear the same amount of exchequer bills that it did before?—Not with a high rate of premium.

149. You cannot calculate the extent to which the demand has been less in the exchequer bill market?—I should doubt whether there was any means of doing that, because it is governed by so many circumstances that are continually varying. Last week the premium was down at 2*s.*, and to-day up at 10*s.*; it is governed by accidental and temporary causes.

150. But a high premium upon exchequer bills would be, to a great extent, an indication of a bad state of trade and want of confidence in transactions that were going on?—In some degree, but rather an indication that there was an idea that, from some approaching cause, there was likely to be a larger supply of money in the market.

151. Has not the business of discounting been rather an increasing business for the last three or four years, not with reference to the law, but with reference to the manner in which it is carried on?—For the last eight years it has.

152. It is getting to be the system upon which the business of this country is carried on?—Decidedly, to a great extent.

153. Do you consider that that change is attended with any injurious consequences to trade?—Not the slightest; on the contrary, I believe it is of advantage under certain limits.

154. Therefore, any facility you can give to discounts is a facility given to the general mercantile business of the country?—Decidedly.

155. Has it not the effect in some degree of equalizing the demand and supply?—To a very great degree.

The witness is directed to withdraw.

Ordered, That this committee be adjourned to Thursday next, 1 o'clock.

Die Jovis, 27° *Maii*, 1841.

The lord president in the chair.

Sir John William Lubbock, baronet, is called in, and examined as follows:

156. You have been a good many years connected with business in the city of London?—Yes, I have.

157. Have you been so both previously to and subsequently to the relaxation which was enacted a few years ago relating to interest payable upon promissory notes?—I have, as a merchant, but not as a banker.

158. You at present act in both capacities?—I do.

159. Can you state to the committee whether any inconvenience was experienced with respect to the accommodation to be obtained by such bills in consequence of the limitation imposed upon them by the usury laws?—My own opinion is that the change is generally beneficial. As a merchant I am not in the habit of discounting bills; as bankers, we are; and we feel greater readiness to afford facilities if we get a better remuneration for it.

160. Would you, as a banker, be influenced in the amount of advances you would make upon bills of that description by the circumstance of your being enabled, under particular circumstances, to charge more than five per cent. interest upon them?—In some cases we should. Every one is governed by his own opinion. We prefer short paper, even at a lower rate of interest, because it is more at command. Bankers are subject to calls for money at particular times, and it is desirable to keep the business under command as much as possible, which is more easily done if we employ money at short than at very long dates.

161. You would consider, then, the exemption from the law as chiefly facilitating the negotiation of bills that had some time to run?—That has been the case; but if I recollect rightly, it was only for a short time that the interest of money was beyond five per cent. upon bills of all dates; but for a greater length of time it was customary to charge more than five per cent. upon paper having more than two months to run. I am speaking now of the custom of bankers.

162. Has the rule, recently adopted by the bank, of limiting the echeance of bills had the effect of influencing bankers, and persons in business generally. with respect to the date of bills discounted by them?—I believe that it has.

163. Have you heard of any inconvenience being experienced by persons in business, either in wholesale or retail, in consequence of the relaxation of the law which has taken effect during some years past?—No, I have not.

164. Are you of opinion, generally, that a larger amount of bills has been so discounted in consequence of that relaxation having been enacted?—I should think it has; probably greater than would have been at that time if there had not been that relaxation, but not within my own experience, and possibly not within the experience of bankers generally.

165. Are you aware of many complaints having been made by shopkeepers, and persons of that class in business, in consequence of their being required to pay more than five per cent. for the advances which they usually received from their bankers?—Those complaints have not come much before me; but I believe that much paper has been discounted in the city at higher rates than five per cent., and of course it must be inconvenient to parties to pay so high a rate of interest as has been paid in many cases.

166. You say at a higher rate than five per cent.; can you state how much higher the rate charged has gone?—I cannot, because in our own practice we have never charged beyond six and a half per cent., nor have we ever charged a commission; we prefer short paper to long, and therefore even those cases in which we charged six per cent. (except when the bank rate was six per cent.) bore a small proportion to the paper we had under discount.

167. But the rate charged by other persons has been much higher?—I have understood so, but not by bankers; and I do not know it of my own knowledge.

168. From the rumors you have heard, or information you have had, do you suppose that it ran up to eight or ten per cent.?—I should think so. We never charge a commission beyond the rate of discount; but in times when money is scarce I believe it has been usual for bill-brokers to charge a commission beyond the rate of discount. If you add that to the discount, and consider it as discount, the rate may easily come up to eight or ten per cent. Perhaps I ought to explain that our rule, as bankers, is never to discount, except for our own customers, or through a bill-broker.

169. In the event of a much higher rate of discount having been charged lately by reason of the relaxation of the usury laws, do you conceive that that was an additional accommodation given to the public, or that it was accommodation that would have been given prior to that relaxation at five per cent.?—If money had not become more tight it would. The quantity of paper that we have under discount now, beyond three months, is comparatively small; and the quantity that we ever had at six per cent. was small, except between the 31st July and the 23d January, 1840, when the bank rate was six per cent.

170. Your previous answer having referred to a higher rate of interest than that charged by yourself, the question that is now put refers to paper of that description; do you conceive that that paper would have been done at five per cent. if the relaxation of the usury laws had not taken place?—I do not think it would, to the same extent.

171. Then you consider that the effect has been, not to raise the charge upon business which formerly would have been done at five per cent., but to enable business to be done which at five per cent., would not have been done at all?—I do not think that follows from my previous answer. It depends upon whether it is *cæteris paribus*. If money remains in the same state that it was before, then it would have been done; but if there were a press for money I do not think it would.

172. In fact, did the relaxation of the usury laws come into operation at all, except so far as there was a press for money?—I should think not.

173. Would not the effect of that pressure taking place during the period that the restriction with respect to usury was in force be to induce bankers to employ their money in another description of security than that of discounting short bills?—I think not, because as we only discount for our own customers I do not think that it would make very much difference; but there is a great deal of paper discounted in the city, not by bankers.

174. Do not many bankers discount for others besides their own customers?—I believe not; we do not; but we also occasionally employ money upon bills through a bill-broker.

175. When you say you employ money upon bills distinctly from discounting bills, what do you mean?—I mean that we do it through a bill-broker If we want to employ money we may say to them, "Bring us some bills and we will discount them with your guarantee;" or we employ money with them at call at a certain rate of interest.

176. When you employ money at call with a certain rate of interest, is it ever beyond five per cent. interest?—Yes, it has been five and a half per cent. when the bank rate was six per cent.

177. Though you do not yourself discount otherwise than for your own customers, is it not the general practice of bankers to employ their money on discounts?—I should think only for their customers, or through the leading bill-brokers.

178. Is not the more extended use of the bill-broker, as the intermediate agent between the banker and the borrower of money, a practice which has

extended very much of late, and which is rather of modern than of ancient origin?—I apprehend so; but it is beyond my experience.

179. You have stated that the interest upon bills having not longer than three months to run has for the most part been confined to the old rate of interest of five per cent., but that longer bills have been in circulation at a higher rate of interest; do you think that it is for the general benefit of the commerce and credit of the country to encourage the carrying on of the trade of the country upon a more extended system of credit; the ordinary business of the country being confined within the three months' credit, has not the tendency of the new law been to enlarge the periods of credit, and to put the whole business of the country more upon credit and upon paper circulation than it otherwise would have been?—That is not my opinion; but it is a difficult question, and I wish to give the opinion with much diffidence.

180. Is it not within your knowledge that there are many kinds of business that are conducted upon long credits?—Certainly.

181. And that that system had obtained before this relaxation of the usury laws?—Certainly; but my own impression is that the tendency of circumstances has been latterly to diminish length of credit. I think that notwithstanding the increase in the rate of interest or in the rate of discount which has been charged, the difficulty that has been put in the way latterly of discounting bills of a longer date than three months has operated to diminish the length of credit.

182. Will you explain what you mean by the difficulty that has been recently put in the way of discounting longer bills?—I know that in our own case we have latterly objected to long bills. I believe the Bank of England did so; I believe they would not discount bills having more than 65 days to run.

183. Then by difficulty you mean the regulations which the Bank of England and other bankers have thought fit to establish?—Yes.

184. You say that the Bank of England have lately established the principle of not discounting bills beyond three months; was it not always the practice of the Bank of England?—I speak with great hesitation of the practice of the Bank of England. I speak of our own practice with greater certainty.

185. Can you state what is the general date for which bills from China are drawn?—I have no transactions with China.

186. If the Bank of England makes a restriction not to discount bills having more than 65 days to run, does that force all holders of longer bills to go into markets elsewhere to find accommodation?—I presume it has that tendency.

187. Therefore the Bank of England does not afford that accommadotion to the trade of the country which exists in bills of a longer date than 65 days?—Yes.

188. That forces the persons dealing upon such credits into the hands of persons who may charge interest according to the wants of the parties or the circumstances of the times?—Yes.

189. You have stated that though the houses of good credit seldom go beyond five or six per cent., yet that houses of smaller dealings have been obliged to pay rates that have run up as high as even ten per cent., finding no accommodation for that particular species of bill with the Bank of England?—I do not think I discriminated between houses of good credit and houses of inferior credit. I merely meant to discriminate between bills of a certain date and bills of another date; and I stated that bills of a longer date than two months had sometimes been discounted at a higher rate of interest. I apprehend the question of credit does enter into the negotiation of the bill, but it does not with us, as bankers, as regards the rate of interest we charge, and therefore I cannot speak of my own knowledge, for we never discount, except for our own customers, or through the bill-brokers.

190. What description of business is carried on in bills of a longer date?—It comes within my knowledge that the wine business is generally carried on in bills of longer date.

191. Are the India and China trades also carried on in bills of a longer date?—I apprehend they are, but I have no transactions with India and China.

192. Can you state upon what length of credit the great manufacturing business of Manchester, Birmingham, Leeds, and the great manufacturing towns is usually carried on?—No, I cannot.

193. Do you know whether it is in bills coming within the 65 days which are discounted by the Bank of England or not?—I think it varies very much, according to circumstances.

194. You stated that it was only for a short time that the rate of interest was raised from five to six per cent.; during what period was that; was it in the period of the manufacturing and commercial distress in 1839?—It was from the 31st of July, 1839, to the 23d of January, 1840.

195. But the interest has now returned to its original rate?—We do not charge above five per cent. for anything now.

196. Would you not consider, then, that the price of money regulates itself like everything else, and that the law comes into operation only when money is really worth more than five per cent. in the market?—I think so, decidedly.

197. Therefore the law allowing that relaxation must be, on the whole, a benefit to the mercantile and commercial affairs of the country?—I think so, decidedly.

198. When the rate of interest rises above five per cent., though it may not affect houses of credit, has it not an immediate tendency to oppress parties in a less state of credit; does it not fall heavily upon the smaller traders of the country?—My impression is the contrary, because I think they would not get the money at all if they did not pay the price for it.

199. At the same time the larger trader in good credit is still getting his money at five per cent., does not the variation in the rate of interest immediately press upon the man not so favored in point of credit; at least does it not do so to the extent of making him pay a higher rate of interest for his money; not entering into the question whether, under other circumstances, he would get his money at all, does it not in truth press more severely upon him than upon any other class?—My own impression is the contrary, because if a man wants money he is willing to pay the price for it, if he must have it. I can speak to the committee with greater certainty of the cases which come within my own personal knowledge than of those that do not; and with regard to our own practice, we are not generally in the habit of making a difference between one customer and another in the rate of interest which we charge.

200. You say that persons in an inferior state of credit would not be able to get their money at all unless the rate of interest was advanced?—I have not myself laid much stress upon the difference of credit; I have laid stress upon the difference of the time of the bills.

201. But the question was, whether, though this change in the rate of interest may not have fallen heavily upon houses in good credit, it does not fall heavily upon houses of middling and inferior credit, and your answer was, that you thought it beneficial to them, because without the increase of the interest they would not have obtained the accommodation?—I include houses of good credit, and I put the houses of good credit and the houses of inferior credit together, and I think that neither of them would have got the accommodation upon bills of a certain date without paying an additional rate of interest.

202. You have stated that there is a certain description of paper which would not be discounted at all but under the permission of extending the rate of interest; what would have been done with that capital that has been so employed if it could not have been lent at eight or nine per cent.; would it not have been

lent at five per cent.; would it not have been lent at the highest rate which the law permitted, if there had been a restriction; can the relaxation have created any new capital to be employed for the general facility of commerce?—That is a very difficult question to answer. I think it does, to a certain extent, because the money might have remained unemployed, or it might have been invested in other ways.

203. For instance, if bankers, speaking generally, have a large sum to employ in discounts, which most bankers have, if they could not get seven or eight per cent. for it, would they not employ it at five per cent.?—I think bankers would, but not readily, upon the long paper; and bankers are expected by some of their customers to grant them accommodation when they require it, which places bankers in a different situation from other parties.

204. But with respect to long paper, which may be said to be a legitimate paper in the trade in which it existed, such as the India or China trade, or trades so accustomed to be carried on, would it not have been discounted, and was it not discounted, and pretty freely discounted, before the alteration of the usury laws?—Yes, I think it might be, under certain circumstances; but when a pressure of money arises, people are more unwilling to take bills of longer date than they would have been previously.

205. Bills of a longer date then were less current than they are now?—I should think so.

206. Then the present system must have had a tendency to increase the transactions upon long credit. Is not that the inference from your argument?—My impression is the contrary. I have understood that bills have been drawn at a shorter date, with the understanding that when they fell due they were to be renewed.

207. Would not houses of inferior credit be placed in a still worse situation, in comparison with houses of the first credit, if in consequence of not being able to procure money at five per cent. they were obliged to make, in a moment of pressure, a forced sale of their stock?—I should say so, certainly.

208. Would not those houses which were unable to get discounts, either on account of their inferior credit or of the bills being unfortunately of long date, find means to evade the law, supposing there had been no relaxation, and get money, either by paying commissions, or in some of the various ways in which money could be got?—I should think probably they would; but such cases would not have come under my knowledge.

209. But it is probable that such would have been the means resorted to by houses in want of immediate accommodation?—That is my impression.

210. Would not the limitation of the interest of money upon the discount of bills have a tendency to promote that which is strictly according to law, namely, raising money at a higher rate by annuities?—That I am not aware of.

211. Was that the practice in business to any extent at any time?—I am not aware.

212. The question had reference to the previous question, in which you were asked, in the event of a limitation of the interest, we will say to five per cent., and parties being thereby precluded from investing their money at six or seven per cent. upon the discount of bills, how they would employ their money under such circumstances; you are now asked whether, under that hypothesis, there would not be a tendency to employ money under the annuity act at annuity interest, so as to obtain the market value for that money?—That would require some consideration, and to know the precise nature of the operation to be dealt with.

213. Does not the power of discounting at a higher rate of interest than five per cent, which the relaxation of the usury laws conferred, attract into the discount market a much larger sum, which might otherwise be absorbed by foreign securities, and securities of that description, at a higher rate of interest than five per cent?—My impression is that it does, and that money perhaps would be

allowed to lie idle unless the investment was such as was satisfactory to the party making it.

214. You conceive that people, not being able to get five per cent., would rather have nothing at all?—For a limited time.

215. Do not you think that they would soon get tired of seeing that their money was unproductive?—I think they would; but those pressures are generally of limited duration.

216. But recollecting, as you do, the time before this alteration of the law, should you say that in London or the country generally there was any complaint of the want of capital for the purposes of discount and credit, and the general transaction of business?—I have not heard the complaint made in that shape either before or since.

217. Does your business make you acquainted with the foreign trade of the country?—Not with those countries with which I am not in relation as a merchant. I am in relation with different parts of Europe; but I do not trade with India or America.

218. Do you know what the rate of interest of money is, for instance, in Paris, at the present time, and what it has been for some years back?—No, I do not.

219. You are not aware that the Bank of France has pretty steadily discounted all the legitimate paper connected with commerce at four per cent.?—No, I am not.

220. Supposing it to be the case that the Bank of France has discounted all the legitimate paper connected with commerce at four per cent., do not you consider that that steadiness of interest and certainty of discount of all the legitimate paper of the country is a great advantage to all the branches of industry of the country, as compared with a country where persons undertaking any operations do not know whether they may have to pay from four up to ten per cent. for any money they may require?—I think that question is a difficult one to answer briefly, from this circumstance, that it involves the whole question of the currency. The bank in this country could not, I apprehend, make discount of that kind to an unlimited extent, without an increase of sovereigns and an increased issue of paper.

221. Without going into the question why the Bank of England should not be as capable of doing it as the Bank of France, the question is asked you, whether you do not think that steadiness in the rate of interest, upon which all the great branches of industry in the country are able to rely, a great advantage?—I think steadiness in the rate of interest would be a very great advantage.

222. But you are not personally acquainted with the fact that that does exist in Paris?—No, I am not.

223. You have been asked about houses in good credit, and houses in inferior credit; do not you consider that the larger mass of the general business of the country is conducted upon credit that would not be considered of the first description?—There is a moral credit as well as a pecuniary credit, and putting both together, I should say that the great bulk of the business of the country is transacted by houses perfectly trustworthy for what they do.

224. Will you state in what particulars you conceive the ancient usury laws to have operated injuriously?—I beg to say that I am not perhaps so well qualified to give an opinion upon that point, from what has come before my own knowledge; but I conceive that a man if he wants money is generally willing to pay the price for it in the market, and I think it probable that if the usury laws had not been relaxed many persons would have found a difficulty in getting money which they wanted, which difficulty was removed by that relaxation.

225. In short, you conceive the value of money to be regulated like anything else?—I do, decidedly.

226. You consider the relaxation of the laws to be decidedly favorable to bankers and those who have money to lend?—I should say in our own case the

quantity we discounted beyond five per cent. was comparatively small, except during the time when the bank rate was higher.

227. Does any objection suggest itself to you in the general alteration of the law upon which you have not been questioned in the course of your examination?—I see no objection at all.

228. You stated that you considered the relaxation of the law a few years ago as advantageous?—I conceive so.

229. Both with reference to bills of short date and bills of long date?—Certainly.

230. You make no distinction at all as to the benefit which you conceive has arisen from the change in the law?—I make no difference.

231. You stated that it was the practice of your house to lend money to be employed in discount at call; is that the general practice of the trade in London?—I believe it is the case with bankers.

232. Is it the practice of individuals not bankers?—I believe it to be the practice also of individuals not bankers engaged in trade. My mercantile firm does so.

233. Is it invariably the practice to make those advances upon what is called call?—No; it may be at call or payable at fourteen days, or any fixed date. It is a matter of arrangement.

234. And what is the interest that is received?—I receive at this moment four and a half per cent. for money at call.

235. Does it not go higher than that?—It has gone to five and a half per cent. when the bank rate was six per cent.

236. Bankers and other persons engaged in discounting do not obtain more interest than five per cent. upon call?—I do not think they do at present.

237. What security is given upon this loan made upon call besides the mere character of the house?—Bills are lodged.

238. To what amount?—To about the same amount.

239. And sometimes warrants for goods and dock warrants?—That may be done also, but it is not within my knowledge.

240. Their profit consists, when they borrow your money at four and a half or five per cent., in the difference between that and the interest they can get from some other person?—Yes.

241. Is not the facility which is given to the lender by having his money at call an advantage which always causes money so invested at call, particularly at short call, to be lent at a lower rate than permanent investments?—Certainly; when I am employing my money at call I could generally employ it upon bills at half per cent. more at a fixed date.

242. When you speak of call, do you mean call at sight?—Yes; on demand.

243. And sometimes two, three, or four or six days' notice?—Yes; that is matter of arrangement.

244. But when you speak of call, you mean call at sight?—Yes; on demand.

The witness is directed to withdraw.

Samuel Gurney, esq., is called in and examined, as follows:

245. You are a bill-broker to a considerable extent?—That is my line of business.

246. And have been for a considerable number of years past?—Yes; ever since the year 1807.

247. Consequently, you have been acquainted with that business before as well as since the period at which the relaxation took place in the usury laws as applied to promissory notes?—Yes; I have been in business both before and since the relaxation of the usury laws.

248. Will you state whether you are of opinion that a considerable inconvenience was experienced by the strict application of the usury laws in commerce

generally, previously to that relaxation taking place?—There were very great disadvantages from the restriction whenever the value of money rose above the legal rate. Certain periods I could specify when the difficulty was to a very great extent.

249. Will you state what those periods are?—The period at which the commercial and trading interests of this country were most injured by the restrictions of the usury laws was in the year 1815. During the whole of that year the effect of the limitation was a very decided restriction to the commercial and trading interests of the country. It was at that period that the value of money rose to the highest point beyond the legal rate, and consequently the effect was in an equal degree injurious to the commercial and trading interests of the country.

250. Was that the period of the resumption of cash payments?—No; it was before the resumption of cash payments. It was the year in which the financial exertions of the country were quite unprecedented.

251. Has, to your knowledge, any inconvenience been experienced by any class of persons subsequently to the relaxation taking place in the law, in consequence of that relaxation?—My experience, I might preface by saying, is very much confined to the higher class of merchants and traders, and I know of no inconvenience that has arisen from the relaxation among them.

252. Has it come to your knowledge that complaints have been made frequently by retail dealers of the necessity under which they were placed of giving a higher interest for money than that to which they were accustomed?—Cases of that kind have but very rarely come to my knowledge.

253. Does not the facility afforded by the relaxation in the law operate more exclusively in favor of long than of short bills?—It does give a greater increase of currency to long bills than it does to short. It does operate with more force upon paper of a long date.

254. Then its tendency, so far as it goes, independently of the other circumstances, has been or would be to increase the length of credit upon which the business of the country is carried on?—I do not know that it has had that tendency. It has given a facility to that description of business upon which long credit is usually given.

255. Have you yourself had occasion to observe lately any considerable alteration in the length of the bills which you are called upon to negotiate?—I do not think the proportion of the long-dated bills that we negotiate has materially increased.

256. Are you in the habit of carrying those bills to bankers to negotiate?—Yes, we are.

257. Do you find that it makes any difference with bankers in the readiness with which they negotiate your bills that now, at periods of pressure, they are able to charge more than five per cent. interest upon them?—It gives greater facility to the bankers as well as to ourselves, and to our transactions with them.

258. So that it is, in fact, upon the believed security of the bill, from your indorsing it, that the banker is induced to make the advance?—Yes, it is.

259. What would you consider a short bill, and what would you consider a long bill?—I consider bills under four months to be current or short bills, and beyond that period to be long ones.

260. Can you state to the committee the ordinary date at which bills are drawn in various classes of our trade, such as China, Brazil, and the East and West Indies?—The usual run of bills drawn in this country by the trader or by the banker, to represent transactions in the trade, are almost all of them within three months.

261. You are speaking of inland bills?—Yes, I do; but different trades give different credits. For instance, in the silk trade the bills drawn are at four

months; bills based on transactions to the east of the Cape of Good Hope are drawn at from six to twelve months.

262. And you negotiate those bills indifferently, provided you think the security is good?—Yes; it makes no difference with us, provided our security is sound.

263. What is the date for which the bills in the Brazil and West India trade are generally drawn?—Speaking generally, the bills drawn on Brazilian houses are at six months.

264. Drawn at that date, you would consider it a regular bill?—We should.

265. Of what date are the manufacturing bills of Manchester, Birmingham, Sheffield, and Leeds?—If on houses engaged in inland trade, the bills drawn are generally at three and four months.

266. So that the manufacturing business is generally carried on upon bills of three, four, and six months?—Generally that is the case; but, as I said before, bills based on transactions to the Brazils or to the eastward of the Cape of Good Hope are drawn at from six to twelve months.

267. Has that increased of late, or has it been always at that rate of credit?—The extent has increased very materially since the opening of the trade, both in China and the East Indies, but the length of credit was always the same.

268. The question refers to the length of bills for the home trade with the manufacturing districts upon houses in London; are those bills of the date now that they used to be?—I think there is no perceptible extension.

269. Can you state the date of the bills which are drawn in the usual course from the United States?—The usual course of bills between the United States and England is from sixty to ninety days, the greater majority being sixty days bills.

270. Is there any distinction between the bills which are drawn from the eastern States, and those which are drawn as representing cotton transactions?—Not a greater difference than that which I have alluded to.

271. What is the date of the bills in the Russian trade?—The bills drawn from Russia are at ninety days.

272. Having stated that a bill drawn from China, for instance, as compared with a bill drawn from the United States of America, was, in your judgment, equally regular, though drawn for very different dates, so long as the state of the law relieved the shorter bill from the usury laws, and subjected the longer bill to the limitation of interest, was there not an inequality that was felt as a pressure upon the trade represented by the longer bills?—The inequality was felt as a very serious pressure and obstruction to business in every line of commerce or trade where the accustomed credit was beyond three months.

273. Are you aware whether there were doubts with respect to the law of the case in discounting, for instance, a bill for six months, or for twelve months, of which only three months were still to run?—We always interpreted the law, that the relaxation applied to all bills upon which not more than three months remained to run.

274. How do you act upon the law at present; do you consider it to apply to transactions of every description?—We do.

275. You make no exception?—We understand that the relaxation of the law is limited to bills that have not more than twelve months to run.

276. How do you interpret the words "any contract for the loan or forbearance of money?"—That it gives us liberty to charge whatever rate of interest may be agreed upon on accounts generally.

277. Whether the contract for the loan of the money be for twelve months, or for two or three years, is the same thing, is it not; you do not suppose that the limitation for twelve months applies to the contract for the loan of money?—I apprehend it does not; but questions have been raised upon it, so that I do

not apprehend that any contract for the loan of money has been made for a period beyond twelve months, except at five per cent.

278. That appears from the general construction of that section of the act?—Yes.

279. You have referred to the state of things in the year 1815; supposing a period in which the usury laws were in force, and that a great government expenditure rendered a drain or a great issue of exchequer bills necessary, would the usury laws in any degree apply to the negotiation of such a loan on the part of the government; would not the borrowing of the government, by the law, be perfectly free from any operation of the usury laws?—The transactions of government were never affected by the usury laws; they were quite clear of their operation.

280. In that case, how would that transaction affect commercial transactions that were subject to the usury laws; the government borrowing at a rate not subject to the usury laws, how would commercial transactions stand, being restricted by the operation of the laws?—Such transactions of the government, the usury laws having no practical operation upon them, would very seriously affect the commercial money market if that restriction were again imposed.

281. Will not the same effect be produced where the transaction, which has been hitherto described as a loan on the part of the British government, is brought about by any large stock operations on the part of foreign countries with our money market?—Any operation of a similar character on account of a foreign government would affect the commercial money market in a much greater degree, not only as such transactions operate as a competition in the rate of interest, but also directly affect the demand for bullion in the bank.

282. You have stated that, under the old law, transactions on the part of the government in the money market here at the time when the value of money is beyond five per cent. would act prejudicially to the commercial interest subject to the usury laws; would not the same prejudicial effect be produced to the commercial interest if that was a government loan or if it was a transaction in foreign stocks, either by foreign drain or by the sale of foreign securities in the market?—This question, as well as the former, being put under the presumption that the usury laws are restored, it would in a greater degree impede the transactions of commerce, the transaction in stock being a foreign character.

283. You stated that the government being unrestricted as to the usury laws, and commerce acting under the restriction of those laws, would operate unfavorable to the commerce of the country; are you not aware that that was the case during the whole of the last war, that the government was selling the five per cent. stock as low as eighty, and yet that during that war no difficulty was ever found in discounting the legitimate bills of the country?—There were at times very serious difficulties during the war in procuring the discount of bills, the interest being then restricted to a legal rate.

284. Are you not aware that during the war the discounts of the Bank of England were from 16,000,000 up to 19,000,000, and that those discounts were always ready for any legitimate bills of commerce?—I am quite aware that was the case, but it arose from the commercial money market being restricted, as I have already explained; but the Bank of England could not have taken the bills had they not been under the restriction act.

285. Be so good as to state to the committee the peculiar circumstances which occurred in 1815, which have made so strong an impression upon your mind?—The circumstances were, that owing to the unprecedented extent of the government loans, without the operation of the usury laws upon them, the money found its true value on the stock exchange, which being much beyond the legal limit, money was attracted to that market from the commercial market, where the limitation existed; in consequence very serious difficulty was experienced by the commercial community during the whole of that year.

286. Was not the difficulty of this description, that, the war having ceased, an expectation of a great rise in the stocks in consequence drew a large portion of the capital into the stock exchange, and therefore left the ordinary accommodation of the business of the country without its proper supply; but if the same circumstances took place to-morrow, if the country were in a position to make it probable that stocks were going to rise ten or twenty or thirty per cent., would not that have the same effect; would it not absorb the capital used for ordinary discount in stock-jobbing?—The difficulty existing in the money market at the period I have mentioned arose only from the cause specified. I never knew of so strong a probability of a rise in the funds as to affect the commercial money market to any important extent. I wish to state something in explanation of a previous question on the subject of the advantage or disadvantage of the relaxation in the law to the trading community. The advantages are, that under every circumstance they are able to procure supplies of money, and to carry on their business with facility and in an extraordinary degree. In the two or three last pressures which we have had we have had very few failures. I will now take the other side. What is the disadvantage? It is that they have to pay this high rate of interest for a limited time; the calculation of that disadvantage brings it to a very small sum. A firm of large extent may have under discount to the extent of £50,000, and have six per cent. interest to pay for that £50,000, instead of five per cent. for six months; this is the extent of loss, which comes to £250 only. For that loss he gets the advantage of general facility, a less risk, as credit is much better preserved, advantages greatly beyond the loss. One other great advantage is the ability to borrow money upon their merchandise. In times of pressure a merchant must either borrow money upon the security of his goods or sell them. If he borrow money upon his goods, it resolves itself into a calculation of a similar character; if he thus borrow £100,000, there will be a loss of £300 to £400; but if he is compelled to sell his goods, he cannot, under such circumstances, at less loss than from ten to twenty per cent.; and therefore, on the one hand, he may have to lose some £300 or £400; but, on the other, if compelled to sell his merchandise, which he must do were he unable to pay more than the legal rate of interest upon a loan, the loss would be under forced sales from £10,000 to £20,000.

287. But in the event of his incurring the danger of losing 15 or 20 per cent. in selling his goods, would he not have found some means, if the usury laws had not been relaxed, of obtaining money, paying a larger rate of interest? In business of this character it would be imprudent for any lender of money to rely upon any evasion of the usury laws.

288. What is the highest and lowest amount of interest you are in the habit of asking generally?—The value of money at this time is from four to five per cent.; since the relaxation of the usury laws it has ranged as high as seven per cent.; perhaps a shade higher.

289. You are speaking of transactions within your own cognizance, namely, transactions with houses of the first class?—I am speaking of transactions with houses of the first class.

290. You being concerned simply in money lending to houses of the first class, what description of persons deal with what may be called the second-class paper?—The chief amount of paper from second-class houses is negotiated between them and the bankers direct.

271. Is there no description of money buyer or money broker for that class of persons?—There are a few, but not of large means.

292. You stated the range of discounts to be from three to three and a half per cent.; in your case can you, from report, or from any information you have, state what has been the range in the second or inferior class of paper?—The bulk of such paper being discounted by the bankers direct for their customers, there is a feeling of indulgence in it, so that the banker would rarely charge

them more than six per cent. in the most aggravated state of the money market; the relaxtion of the usury laws has been very important to that class of traders, perhaps more so than to the higher, for this reason, that when the value of money rose beyond the legal value, the holders of money would only select paper of the first class, those of the second class being in consequence useless for negotiation; I am inclined to think that the relaxation has been of more advantage to that class of traders than to the higher.

293. How do you suppose that class got accommodation before the relaxation?—They were under great difficulty; it was rather by a system of indulgence between them and the bankers.

294. Has the borrower any commission to pay besides interest?—It is very rarely that any commission is charged; the basis of transactions is the difference in the price in buying and selling money.

295. The rate of interest involves the commission?—It is exclusive of all commission.

296. The commission is very rarely charged?—Very rarely.

297. You have stated, as an alternative, the positive necessity which is imposed upon a person requiring accommodation to sell goods if he cannot obtain accommodation in another manner; and you have stated that as probably leading to a much greater sacrifice of capital was the proportion of 10 or 20 per cent. as compared with two or three per cent. in the mode in which he would obtain accommodation under the relaxation of the usury laws; in the event of a forced sale of goods, did not it act prejudicially, not only to the person himself, but also to the prejudice of other persons who were holders of the same goods?—Of course it did.

298. Therefore the difference of the two systems is not only to be measured by the amount of loss the person himself sustained, but by the greater extent of loss which was sustained by the whole commercial community with which he was connected?—No doubt the protection does apply in that extended manner.

299. You have stated, that you thought the relaxation of the usury laws was felt as a benefit more to the small trader than to the larger trader; can you state whether the number of failures of that description of persons was greater in the pressure of 1825 than it was in the pressures that have lately occurred?—There is no doubt that the failures that took place under the pressures before the relaxation of the usury laws were much more numerous than they have been latterly since the relaxation; whether I am prepared to attach that favorable difference solely to the relaxation, I do not know, but I am sure that it has tended to the prevention of failures during periods of pressure.

300. You say there have been fewer failures in times of crisis and difficulty; when was your last bad crisis or difficulty?—The severest crisis we have had recently was in the autumn of 1839; we had rather a severe pressure in the autumn of last year for a few weeks.

301. Was it not in 1839 that so many of the American houses failed?—No; it was in 1836 and 1837.

302. In that case did not the larger portion of the persons concerned fail?—Favorable as I consider the relaxation of the usury laws, it does not altogether prevent failures; the failures that took place in the American houses in 1837 were owing to imprudent dealing; no relaxation in the usury laws could have prevented them.

303. Do you think the pressure would have been greater or less, or the same, if the usury laws had not been relaxed?—If they had not been relaxed, the pressure would have been greater, and infinitely more injurious.

304. Has not the power which a house of inferior credit has of borrowing at higher rate of interest in proportion to its difficulties and embarrassments this

effect, to sweep away all their property when they do fail, and make their bankruptcies more serious?—It is not unlikely that it may have that effect.

305. You do not deal with that description of persons?—No; but I know what takes place among them.

306. A man who would stop and pay 15*s.* in the pound may, by advancing the rate of interest, go on till he cannot pay 75*s.* in the pound; and is it not more desirable, and more consistent with honesty, that a man who is in that description of embarrassment should call his creditors together, than that he should waste almost his whole substance, and then call them together?—Undoubtedly it is much more consistent with both wisdom and honesty that he should call his creditors together during the early stages of his involvement.

307. You have stated that the present system does increase the facility of a man in difficulties going on to the last extremity?—It does.

308. May it not, on the other hand, by his obtaining money at a higher rate of interest, enable him to overcome those difficulties, and save him from becoming a bankrupt?—There is no doubt that the cases are numerous in which parties, by being able to raise accommodation in time of pressure, are saved from ruin.

309. Would not such accommodation frequently save houses of the first credit?—Certainly accommodation under difficult circumstances does save very good houses; there can be no doubt whatever of it.

310. Would a person be able to negotiate a bill at ten per cent. without going to a lower dealer in money for it?—With a prudent money-dealer it would operate as a bar to his entering into the negotiation; a considerable higher rate of interest than the value of money being offered creates suspicion.

311. But if a party brought you a bill, would he be able to obtain money of you at all?—Any party bringing a good bill we should always take it at its market value, the security being good and the relaxation of the usury laws continued.

312. Have you at all considered the effect of the relaxation of the usury laws on loans made by government in time of war and in time of peace?—In accordance with what I have already stated, the restriction had the effect of throwing a much larger porportion of money upon government transactions than upon the commercial world, where the true value of money rose beyond the legal rate.

313. It enabled the government to raise the sum that was required for the public service of that year?—It may have had that tendency.

314. You have already stated that the same effect would be produced by transactions in foreign securities as in the securities of this country?—The same effect, but with considerable aggravation, as in that case the money would be sent out of the country.

315. You employ the money of many country banks?—Yes.

316. Money that comes to you for employment in that way must be employed in some description of commercial circulation in the country?—It must be employed in the money market.

317. If you can get six per cent. or seven per cent. for it, you get your six or seven per cent.; but if you cannot get your six or seven per cent. you are obliged to content yourself with five?—Yes; sometimes with three per cent.

318. The rate at which you employ it affects very little the amount you have to employ?—It affects the amount but little, provided we give the market value of money and there is no other market where a higher rate can be procured.

319. Where is that market?—At the Stock Exchange; the value of money is at times higher than in the commercial market.

320. But that market is open to you as well as to other people?—Yes; but not upon bills of exchange; not upon commercial transactions.

321. What is commonly called the market of the Stock Exchange is bills in continuation, is it not?—Those transactions there assume a variety of forms.

322. Do you not receive from those banks which send their money to you for employment a certain sum to be employed, which must be employed either in government securities or commercial securities?—That is the case.

323. If the law did not permit you to take beyond five per cent., that must go either to government securities, or it must go into the five per cents. in commercial securities?—Yes; we must submit to five per cent. upon commercial securities.

324. The circumstance of the law allowing more than five per cent. does not augment their means of employment?—It does augment the amount of money to be employed.

325. That market is the market of the Stock Exchange?—Yes.

326. Mainly exchequer bills?—Not exchequer bills only, but also consols, and other objects of investment also.

327. The borrowers of money would have your money at five per cent. if you were not permitted by law to charge a higher rate of interest?—No; borrowers would not get their money without great difficulty.

328. The parties with whom you can place your money are two, considering the public as a borrower, private individuals as a borrower; between those two borrowers, whether the government, in its stock of different descriptions, or private individuals, your money must go?—Our money is almost invariably occupied in commercial objects.

329. Therefore it would not be true to say that the power of advancing the rate of interest beyond five per cent. augments the amount of money to be borrowed?—It augments the amount of money that is employed in the commercial money market.

330. When you say the rate of interest at the Stock Exchange was only three and a half per cent., you mean that the price of consols gave that interest of money?—No; I mean to say that, if a gentleman held consols, and could give consols as security, he could obtain money at two or three per cent.

331. If you, and other persons having money to lend, having your capital variously divided between commercial discounts and government securities, in case of pressure are able to make six and seven per cent. of your money in the discount market, does not that immediately throw exchequer bills upon the chancellor of the exchequer, and throw him into difficulties? If the London bankers, who are large holders of exchequer bills, then go and take their money upon what is called calls at four and a half and five per cent., is it not an inducement to throw off exchequer bills, which are at three per cent., and thus embarrass the treasury?—Only to a limited extent; exchequer bills are not very much held by the banking interest in the city.

332. How do you conceive that the West-end banker employs his money?—They do employ their money to a greater extent in exchequer bills.

333. Do you never take their money?—We take it to some extent; they are beginning to discover that investments on commercial bills give a higher rate of interest, and under a good agency is even safer than transactions in the Stock Exchange on government securities.

334. When they can lend their money at a higher interest, must it not be an inducement to them to get rid of their exchequer bills at a lower rate?—It is an inducement, but only to some extent.

335. The relaxation of the usury laws, by affording a new employment for money in this country, the government not raising any loan at the same time, must have the effect, has it not, of diminishing the amount of money that has gone abroad for investment in foreign securities and speculations?—It has that effect, very decidedly.

336. But it has drawn more capital into the discount market than used to be there?—It has, especially at periods when it is most wanted.

337. From investment in foreign securities?—I think it has.

338. Do you attribute the circumstance of such vast sums having been sent abroad for investment in those securities, previously to the relaxation of the usury laws, to the pressure of the laws in this country, in not allowing men to get the proper interest of their money?—I cannot say that I should trace it to that cause, but to several causes; among others, the low rate of interest which existed for a long term of years.

339. But those low rates of interest were the true measure of the value of money?—Yes, they were, no doubt.

340. Will not the inducement to investments abroad be in proportion to the low rate of interest, whether that is produced by a natural cause, or by an artificial cause, such as the existence of some law?—Undoubtedly.

341. Must not the low rate of interest at the same time improve the condition of the manufacturers of the country?—It is an assistance to them.

342. But whether the rate of interest of a country is at four per cent. or at six per cent. must materially affect the profit at which manufactures could be carried on in the country, must it not?—The value and scarcity of capital undoubtedly affect materially the profit on trade.

343. The value of money being two, three, and four per cent., what is the circumstance, do you consider, that produces the crisis which raises the interest of money; is it some operation of the Bank of England, or what circumstance is it that produces that effect?—That which operates upon our market immediately is the quantity of circulating medium that we have in it, and the amount of transaction it has to perform.

344. And that operation is mainly produced by the changes in the circulation of the Bank of England?—The variations in the value of money do arise immediately from the variations in the circulation of the Bank of England.

345. But the Bank of England occasionally is obliged to expand or contract its circulation, according to its apprehension with respect to its power of payment in specie?—Doubtless it does.

346. Had not the bank and yourselves, and persons who are large lenders of money, an interest in promoting those events which shall advance the interest of money; supposing the bank to act simply with a view to what may be called its own interest, has it not a direct interest in promoting those panics or crises which shall enable it to advance its interest of money from three up to seven per cent.?—Certainly not; it is the interest of all money-dealers to have things preserved in quietude.

347. Though you hate panic and confusion, you have no objection to that slight degree of disturbance which may enable you to get seven per cent. instead of three?—I think the object of all great money-dealers, putting the bank at the top, and others beneath them, is to do everything they can to keep things in order and quiet.

348. Consistently with getting the highest rate of interest for their money that they can?—The contrary is the fact; a low rate of interest is best for our firm.

349. Is it not frequently the case that bankers obtain a larger profit upon smaller rates of interest than when interest advances to a higher rate?—The bankers get more profit upon a high rate of interest; in my line of business it is the reverse.

350. Does not the same reasoning apply to those banks which give interest upon deposits, and obtain interest upon loans?—Not to the same degree that it does in my business. The rates of interest country bankers allow are much more fixed in their character than with ourselves; they do not fluctuate with the market with the same rapidity.

351. You stated that considerable accommodation was given to persons on goods, in consequence of the relaxation of the usury laws; has not that led to a

great deal of fraudulent trading?—In no instance that has come to my knowledge.

352. What is the usual value required to be deposited in goods?—It depends a good deal upon the nature of the goods and the state of the markets; but with a house of first-rate character we should lend them money upon their goods to within twenty per cent. of their marketable value in most cases.

353. Upon long or short periods?—We generally make our loans for three or four months, as the merchant may require.

354. Would not that enable a speculator to carry on his trade entirely without capital?—It doubtless has the effect of giving facility to all persons who hold goods, whether speculators or *bona fide* merchants.

355. If he can purchase his goods in the Manchester market, or any other market, at three months' credit, and can afterwards raise money to within twenty per cent. of the value of those goods, does not that enable him to carry on trade upon other parties' capital?—Such transactions, if they exist at all, are of very rare occurrence.

356. Do you know within how much per cent. of the supposed market value of goods the East India Company advance money?—I presume the question refers to the transaction of the company taking bills of exchange on the bill of lading in India. I think they would generally advance eighty per cent. upon the invoice price in Calcutta.

357. At the present moment is the circulation of paper in its average state, or is there more or less than usual?—At this time the extent is nearly at the usual average, and is sound in its character; that is our experience at this particular juncture.

358. Have you much to do with the circulation of bills connected with the manufacturing districts?—We discount for the manufacturing districts very largely.

359. Is that description of paper in the ordinary state, or is it more or less in extent than usual?—I should give the same answer that I did before, that it is much upon the usual average, and sound in its character.

360. Of what description is that paper; is it the draft of the manufacturer in Manchester upon the house in London?—The general character is, that it is drawn by the manufacturer upon the buyer of goods, whether in Liverpool, London, or other commercial towns, and indorsed by the banker of the place.

361. Is that the description of paper you consider among the best?—We consider it the very best, because we get the security of the manufacturer and the buyer of the goods, also the country banker.

362. The rate of interest which may be said to be paid for money in manufacturing districts depends upon the rate at which those bills are discounted?—Yes; the rate of interest at Manchester and Liverpool follows our market by the next post.

363. So that when those bills are done at three per cent. or at seven per cent. there is that variation in the rate of interest which the manufacturer is paying for money for the purposes of his business?—Such is the case.

364. You are not acquainted with the operation of the present law as it respects the poorer description of people?—Not to a great extent; but to the lower class of traders I think it gives additional facility especially—in times of pressure, that is.

365. Can you state to what extent the charge for interest has in any cases gone, including commission and all charges?—The rate of interest did at one time run up to about seven per cent., exclusive of commission. There may have been some transactions in which exorbitant rates of interest have been charged; but, so far as has come within my knowledge, they have been of a limited character, both as to number and amount of money.

366. Do you know anything of the value of money in foreign countries?—

Not a great deal; the value of money in Holland, Germany, and France is mostly rather lower than in London.

367. Do you know anything of the rate of interest which the Bank of France takes?—I believe it is at this time four per cent.

368. Has it remained steadily at four per cent.?—More steadily than the rate of interest charged by the Bank of England.

369. Do not you consider the steadiness of interest is of importance to the commercial interests of the country?—I think it is rather better that it should be so, but I do not think it a matter of material moment.

370. Do you know what proportion of the discounts in Paris are performed by the Bank of France, and what rate of discount is charged by others than the Bank of France?—I am not acquainted with the subject.

The witness is directed to withdraw.

Ordered, That this committee be adjourned to Tuesday, the 8th of June next, three o'clock.

Die Martis, 8° *Junii*, 1841.

The lord president in the chair.

Joseph Maynard, esquire, is called in, and examined, as follows:

371. You are a solicitor in business in the city of London?—I am.

372. Have you been long in practice?—I have been in practice for myself about eighteen years; I was ten years before that in the profession.

373. Does your situation make you conversant with the general position of the trading classes in the city?—I should say it did. I have a large commercial connexion.

374. Are you frequently called upon to act in cases of insolvency?—Very frequently.

375. Will you state to the committee what, in your opinion, has been the operation upon the general condition of persons engaged in commerce in the city of London of the alteration made in the laws regulating the interest of money; what are called the usury laws?—I think the operation has been different upon different classes of men engaged in trade in the city. Among what I should call the higher class of mercantile men, who have access to the best resources for raising money, and who have always unquestionable security to offer for it, my opinion would be that the working of it had been beneficial, as enabling them to avoid the sacrifice of property at times when it is depreciated in the market; they, by being enabled to give a rate of interest worth the while of persons having money to receive, which the ordinary rate, I think, was not, have been enabled to obtain resources when they very much needed them in times of commercial distress and difficulty, and have been spared a very much larger sacrifice by not being compelled to bring their property into the market, as they would have been in former times when they had no alternative but to sell their property for what it would fetch.

376. In speaking of that class of persons you speak both of those that have money to lend and those that want to borrow money?—As to the parties that have money to lend, I think there can be no question as to its having been beneficial to them, and I think there is no question as to its having been beneficial to the other class of persons to whom I alluded.

377. How do you consider that it has operated upon a second class of persons—persons not absolutely in needy circumstances, but below what you would call the higher class of merchants?—With regard to that class of persons, there have been a great many instances in which I have found that, there being no limit to the rate of interest, and they not having that station or credit to which I have alluded in my former answer, they have been obliged to pay a much higher rate of interest than what I should call the value of money at the time

at all called upon them to pay; and then I should say it has had this prejudicial effect in many cases in that class, that every man wishing to keep himself up as long as he can, I have found that when at last they were compelled to suspend their payments and declare themselves in a state of insolvency, their assets have been all but exhausted.

378. The operation of the present state of the law upon that class has been that they have gone on longer by borrowing at a high rate of interest than under the former state of the law they would have done, and consequently when they have come to insolvency their funds have been pretty much exhausted?—I think so; I think under the former state of the law there was a class of persons who could not, without decidedly endangering their credit, and by that means being compelled to come to a suspension, have forced their goods into the market in the way in which they would have been compelled to do to obtain funds; whereas, through the medium of parties who intervene between the capitalist and the borrower, the money-brokers, they may get their money upon security, or upon the best bills they are enabled to give, without its being known among their connexions. If they were compelled to force into the market the goods which in the ordinary course ought not to be sold in that way, that could only be done, generally speaking, among persons dealing in those goods, and the chances are that it would become known, and then they would be compelled to bring their affairs to a close; whereas at present they are enabled to go on much longer, and I think detrimentally to their general creditors.

379. Do not you consider that the greater mass of business that is carried on in the city is carried on by that class which you would describe as something below that of the first credit?—My own feeling would be that in figures it would not be so; numerically speaking, with regard to the number of persons engaged in it, the larger number of persons I should think would be among what I should call the inferior class of dealers, but the greater amount of financial operations I should think would be the other way.

380. Does your experience enable you to state at what rate of interest persons of the class that you have been speaking of have borrowed their money?—It does in a great many instances; and perhaps I should state that a mode has obtained, which I think is to be attributed to the repeal of the usury law, of charging, *ad libitum*, almost a commission upon the raising of money, which is not called interest, but it is called commission; but still to the party borrowing it is in effect paying so much more interest for the money he gets; and I think if I were to fix the rate of interest, a great portion would be attributable to that charge of commission, because the charge of commission would be made at so much per cent. upon the sum borrowed, not per annum; the charge of interest would be at so much per cent. per annum; and, therefore, if a man paid one per cent. commission upon the discount of a bill at two months, it would in effect be six per cent. per annum in addition to the rate of interest, whatever it might be, which the party might charge him; and I think that that system of commission prevails, not merely among the inferior class, but to a great extent among persons of a higher character.

381. Do you mean to say that no such commission could be charged, or was in point of fact charged, previously to the repeal of the usury law?—My impression is that no such commission was charged previously to the repeal of the usury law; but I speak with some hesitation upon that point, because in my own experience I have nothing to do with discounts or paying commissions; but speaking as a professional man, our feeling always was that the charge of commission was liable under the old law to be considered as a contrivance for taking more than legal interest, and unless the party who charged the commission could clearly show that it was a payment made to him for a service performed, and that he himself had no interest whatever in the money he lent, (which I believe

is very seldom the case,) then I take it to be quite clear that under the old law the commission would have been considered as merely a contrivance to get a higher interest for money.

382. Was it not a contrivance continually had recourse to through the medium of third parties?—I do not think that any such rate of commission was charged previously to the repeal of the usury law as is charged now; but I am not prepared to say that no commission was charged.

383. If commission was charged previously to the late act, it was always liable to be questioned as matter of usury?—Undoubtedly.

384. Therefore that was probably the reason why it was not charged in that way?—That was the reason why it could not be, and why I conceive it was not; there was a case with which the profession are well acquainted, of Kensingtons, the bankers, with regard to a charge of commission; the question arose upon this nicety, that upon very large transactions, to the amount of between one and two hundred thousand pounds, they charged one per cent. commission as bankers. The statement was that the ordinary charge was half per cent., and the whole amount was put in jeopardy by the question whether that additional half per cent. was a *bona fide* charge for a service performed, or whether it was not merely a mode of getting something more than five per cent. for the interest of the money; and although the jury would not find that it was a contrivance of that description, the law was clearly laid down. I recollect Lord Ellenborough gave it as his opinion that if it was so it would have been usury.

385. Therefore the charge of commission being considered usury, as well as an excess of interest, the real effect of those transactions was to charge a higher rate of interest than the law allowed?—They could only charge five per cent.; but the charge of commission would not be usury, unless, by adding it to the interest charged, it made it more than five per cent., which, in those days it always would do, because five per cent. was the interest usually paid.

386. But, in point of fact, the money borrowed or raised upon discount, by persons of the condition you have been speaking of, was not borrowed at anything like the same rate of interest before the alteration of the law that it has been since?—Certainly not; of course it could not be, because, although there were always a great variety of contrivances to avoid the operation of the usury laws, I do not consider that that system of contrivance extended to the sort of mercantile operations I have been speaking of; they were limited pretty much to what are technically called money-lenders; a lower class of people altogether.

387. Can you state, taking into account the charge made for commission and the charge made for interest, what have been the rates at which money has been borrowed since the passing of the present law?—There are two classes by which money would be borrowed: if you discount with your banker, of course you pay no commission; then you pay merely the naked interest. I have no idea that any banker ever charged more than six per cent.; but if the money is raised through the medium of a bill-broker, (a class of persons who have large funds to dispose of,) the rate of interest will then vary. I have known a first-rate bill-broker to make six and seven per cent. per annum as interest, besides the charge for commission; what that would add to the rate of interest would depend upon the period for which the loan or the discount was made; with an inferior class of persons I have known the rate of interest to vary from ten to twelve or fifteen per cent. still, besides the commission.

388. What would be the general rate of commission in the one case and in the other?—The commission, I believe, varies from a half to one per cent.; I do not think they charge more than one per cent. commission.

389. Upon bills having what time to run?—There are very few bills discounted that have more than three months to run.

390. So that, supposing the bills to have, upon the average, three months to run, one per cent. commission would be equivalent to four per cent. additional,

and half per cent. would be equivalent to two per cent. additional, which would be to be added to the rate of interest?—Precisely.

391. You have spoken of these transactions with bill-brokers; are those bill-brokers of credit and respectability, or are they people transacting their business clandestinely?—Not persons conducting their business clandestinely.

392. Those transactions are open transactions?—They are open transactions.

393. So that persons in moderate credit, persons that you describe as being not of the first class, but still respectable in business, have borrowed money at the rate you have spoken of, and the poorer description of dealers have paid a still more extravagant rate of interest?—Exactly so.

394. Do you know whether these excessive rates of interest have not sometimes come upon them suddenly, in consequence either of an alteration of the system of the Bank of England, or other circumstances, suddenly operating to cause a change in the value of money in the city?—The value of money in the city is continually varying, from all sorts of circumstances; but I do not think the rate of interest has been below five per cent. now for a considerable time past.

395. And when a variation takes place with the Bank of England and the great bankers of the city, from five to six per cent., the variation for persons of a less opulent description is infinitely greater?—It is greater, certainly.

396. Can you say at all to what extent it is greater?—It is very difficult, when you get out of the decidedly first-rate money market, to know the rates that are charged among the inferior class, because it depends not so much upon the value of money as upon the credit of the party that they deal with.

397. And upon the goodness of the security?—And upon the goodness of the security; and that is what I mean, that the operation of the repeal of the usury laws in the case of persons of not the best credit is to leave them to pay for their want of credit, and not for the increased value of money as such; that is the result I have arrived at, so far as my observation has enabled me to judge.

398. Do you believe, supposing no alteration had taken place in the law at all, and that five per cent. had remained the maximum legal interest, that that class of persons would have been able to get any money at all?—I should think not; and I do not think it would have been confined to them; my opinion is, that it was absolutely necessary to increase the rate of interest beyond five per cent.

399. Otherwise they would have obtained no money at all?—They would have obtained no money at all, or they would have obtained it by the sacrifice of property to a much greater extent.

400. Or by an evasion of the law?—Or by an evasion of the law; but I do not think that evasion of the law among the commercial classes is a thing that can frequently arise.

401. Were not the evasions of the law principally confined to young men expecting to succeed to fortunes, or persons out of business, and very seldom practiced by persons in business to any great extent?—Speaking of the city, I should say it was not practiced by persons in trade in the city; I think that at the west end of the town it did extend, not merely to the class of young men alluded to, but among many of the traders.

402. You think persons in the city would sooner sell their goods at a ruinous loss than evade the law?—No; I think they would sooner have stopped payment.

403. Rather than obtain money by the payment of a commission, which would have been, in fact, increasing the rate of interest?—They would have been unable to obtain money in that way, assuming it not to be legal to let them have money by paying a commission; if a commission would make it usurious, I do not think they would get money in the city; I do not think the class of persons that have money to lend in the city would lend it in transactions where they felt they were

liable to lose the whole of their money; I consider the system of usury to be rather a trade of itself, which is not carried on among the mercantile classes in the city.

404. Not among the bill-brokers?—Not among the bill-brokers, nor among the commercial classes generally; I have no idea that any of the respectable bill-brokers in the city would ever enter into a transaction which they believed would subject them either to the loss of their money or to the penalties of usury.

405. You have stated that persons now borrow money at a high interest who would under the old state of the law have called their creditors together and stopped payment; should you say that the continuing their affairs when they are in fact insolvent, by borrowing at a high rate of interest, was a desirable course for the trade of the country, or that it promoted honesty and integrity in commercial dealings?—I should think it quite obvious that if a man be clearly insolvent, any mode must be vicious that enables him to continue his business, because he lets out one to let in another. But the way in which the operation of the repeal of the usury laws has been beneficial is, that there are constantly occurring cases, by no means of insolvency, or anything bordering upon it, where money is required, and where it cannot be got except by giving more than the rate of interest which formerly used to be allowed. The difficulty is between the two classes.

406. Could not a man, under those circumstances, be enabled to show to the lender that he had the property upon which the security was to be given, and obtain money at five per cent.?—In times of pressure the money was more valuable; it was considered intrinsically worth more than five per cent.

407. How could the party obtain more than five per cent. for it?—I am hardly competent to answer that question, but I believe there is no doubt that in the money market money is at one time worth more and at another time less; as to the precise mode by which the difference of value is created, I do not feel competent to give an opinion.

408. Would not the lender, under those circumstances, have taken into consideration any degree of uncertainty which there might be as to the value of property which was not immediately available, and in proportion to that uncertainty increase the amount of interest he charged?—I should presume that he would; he would clearly not lend his money upon any security for less than what his money was considered to be worth, and therefore that would prevent the money being raised at a lower rate of interest than the money was worth; he would get, if he could, a larger rate, if he considered that he was running a risk. But I separate the question of risk as increasing the rate of interest from the question of the rate of interest being increased by the money itself being in the money market worth more than the amount of interest which used to be payable.

409. Would not both of those considerations combine under any circumstances, namely, the pressure in the money market and the pressure on the individual?—No doubt every man who lent his money, if he knew that he could only obtain repayment out of a given fund, would look at the probability of realizing that fund when the money was wanted; but I do not think, myself, that the difficulty that I am looking at applies so much to the question of security, because, of course, there are people in the city of London whose security is undoubted, and yet who cannot borrow money at five per cent. if money is worth seven.

410. Where could a man procure seven per cent. for it?—I do not profess to know enough of mercantile operations to know how they govern and determine the value of money in point of interest.

411. The question refers to the state of things before the repeal of the usury laws.—If a man had money to employ, he would take five per cent. for it if he could not get more; and, therefore, if I find that people who have got money to lend, and who have no question about the security offered for it, still will not

lend it at five per cent., and do not think that enough, but will lend it at eight, I must assume that they have means of employing their money; for example, by laying it out in property that may be depreciated in value if sold immediately, but by holding it on till the pressure in the money market is removed, that produce would realize its fair market value, and in that way they would get the difference; and there may be a variety of other ways which I do not feel myself competent to go into; but still it was perfectly well understood, I believe, that money could be raised at one price, and not at another, and that the difficulty was not upon the question of security.

412. Is not there always a large mass of money that is employed solely in being lent?—Yes.

413. And therefore if the law did not allow a higher rate than five per cent., all that money would come into the market at five per cent.?—I should doubt that; the question of the premium on exchequer bills must have some operation upon it. It is true that upon exchequer bills the party gets a less rate of interest, but he gets undoubted security, and a commodity which is always available; but I conceive there can be no doubt that practically money will command in value a higher return in the shape of interest at some given periods than at others. As to the question, if the interest is not raised, how that is to be done, or how they are to get a return for their money by employing it in any other way, I do not feel competent to give an opinion upon that, but that there must be a way of doing it I feel confident.

414. Would not any lender of money, under those circumstances, being debarred from employing his money in one particular mode, at as great a profit as other modes afforded him, be driven out of that mode and take to others?—I conceive so, certainly; among others, the foreign funds will always have an operation upon the rate of interest.

415. Supposing a person in trade to be perfectly solvent, and to have his money lying in goods of some description or another, and that he wants money for a particular purpose, and that he cannot get money at five per cent., and he does not choose to give more, would not his only alternative be to sell some part of the goods which he had previously bought?—That was the alternative.

416. Were there not such great inconveniences found in that alternative as to make it necessary to do away with the usury laws?—I should think that would be the effect in the case of a man who must have money, for instance, to meet his engagements, and whose assets are locked up in a commodity for which at the time there is no fair market, or only a depreciated market; unless he can borrow money temporarily, and give the market a chance of rising, he must force his commodity to sell at an amount of loss far exceeding the temporary loss he would sustain by paying three or four per cent. more for the use of the money for that limited period.

417. Supposing the use of the money is obtained at an expense of 20 per cent.?—That would be 20 per cent. per annum; if he wants it for three months, that would be a sacrifice of five per cent.; and the chances are, that the sacrifice in the market by forcing the sale of his goods would be much more than five per cent.

418. You conceive that the individual would be the best judge for himself, whether it answered his purpose?—Of course.

419. Would not any trader, under those circumstances, if he were debarred in consequence of the usury laws from having recourse to the more respectable class of lenders, be driven to go to the less respectable class to whom you have alluded in your evidence, who would not scruple to evade the law by any clandestine means or contrivance?—He would either do that, or, what I think is more probable, he would say at once he could not pay.

420. His choice would be between raising money at an enormous amount of

interest by illegal means or an actual bankruptcy?—If he would not sacrifice his property.

421. Before the alteration of the law, had you seen many cases in which people have come to bankruptcy that have not been really insolvent and unable to pay?—No. I have seen many cases in which persons have come either to a suspension of payments or bankruptcy, (I consider suspension of payment for this purpose pretty much the same thing,) who, if they could have held their property for a few months longer, would not have been driven to any such necessity, by the mere rise in the market, which in the mean time has taken place; but who, by not being able to hold on till that rise has taken place, have in the mean time been sacrificed.

422. Are those cases numerous, as compared with the general mass of cases of insolvency, or are they rare cases?—It is constantly occurring that particular commodities are known to be depreciated in the market below their value. I cannot give any number of them in any given period, but it is a thing perfectly well known that there are certain staple commodities which in the result every one feels must attain to a certain price, but which at different periods will not command that price, and those are the times when speculators make large fortunes; men who go and buy at a depreciated price, instead of lending their money at interest, and hold the property on till the price has rallied, and realize the difference.

423. Taking the whole question into consideration, the facility which you seem to think the present state of the law affords to the higher class of traders, and the pressure occasionally upon the lower, and the wasting of the estates of persons who at last come to insolvency, do you consider that the alteration in the law has upon the whole been beneficial to the commerce of the city of London, taking into consideration as well the material prosperity of the commerce as the moral conduct of those concerned in it?—My opinion would be, that taking the working of the measure up to the present time, its general result has been beneficial. The only question that has at all occurred to my mind upon the subject is, whether there should or not be some limit, now that you have had a certain amount of experience in the working of the measure.

424. Have you at all satisfied yourself, in your own mind, as to what that limit ought to be, so as to admit of a fair expansion in the rate of interest?—It it very difficult to say that. My feeling generally is, that there must be an amount of interest, which a man may pay, which it cannot be judicious that he should pay, because, if he does, it must end in his destruction; but where to hit the medium I hardly know. I have been turning the subject over in my mind, and I think that a limit of ten per cent. ought to cover the sort of necessities for paying an increased rate of interest which undoubtedly do arise.

425. Would not a man, circumstanced as you describe, even supposing the rate of interest were limited to the amount of ten per cent., if he were in circumstances to be disposed to give more than that, have recourse to disreputable means of raising money at a higher interest, which would equally end in his ruin?—I do not myself think that the respectable trading classes of the community will raise money in that way, if it is illegal. There is a class who will, of course, raise money in any way, by any shifts, but the very illegality of it, if it ends in a man's ultimately suspending his payments, is a sort of stigma upon him that I think would deter commercial men from engaging in it; while it is legal to do it, there is no such stigma.

426. You think that a limitation of ten per cent. would probably include in the accommodation it would afford the greater proportion of fair traders, and enable them to meet the ordinary fluctuations of credit and pressure in the money market?—As far as I can form an opinion upon a very difficult subject, that certainly would be the conclusion at which I should arrive.

427. Do not you think there might be some danger, if the legislature were to

fix ten per cent. as the maximum interest of money, that people might suppose that the legislature sanctioned ten per cent. as what might be termed the natural interest of money?—That question has occurred to my mind, as to whether that might be so; but we all know that when the legal rate of money was five per cent. it was very constantly to be had at a very much lower rate.

428. Would not such a feeling be counteracted at once by the competition in the money market?—I think it would. I have no idea that if the limit were ten per cent., that would be any reason why ten per cent. should be paid generally, though it might in some cases be urged, as a reason why it should be paid, that that was the legal rate.

429. Would not other lenders of money come in immediately at the market rate of interest to defeat such an impression?—In all ordinary transactions it would undoubtedly be so.

430. Thens hould you not think it better to leave the trade in money free to be adjusted by the interests of the parties dealing in it?—The only difficulty I have about it is, that I think that by making no limit whatever, you place a class of persons whose credit is not strong enough to enable them to command the regular money market, at the mercy of those to whom they may apply for assistance, and they are made to pay for their want of credit, and not on account of the increased value of money. My feeling is, that whatever is the value of the money should always be paid; but it is a different thing making a man pay a high rate of interest on account of his not being in good credit, and making him pay a high rate of interest because money commands that rate of interest.

431. Then you would suggest that limitation as a protection to parties whose circumstances are such that they cannot easily obtain credit?—Yes.

432. You alluded just now to people paying ten, twelve, and fifteen per cent.; those people, then, would be debarred from raising money?—Yes. I think they would be better without it.

433. Do you not believe that the individuals who paid that rate of interest were in a state bordering on insolvency?—I think it generally terminates in that.

434. Have you known instances where the power of raising money at a greater interest than five per cent. has induced persons to continue their mercantile operations longer than they ought to have done, and longer than they would have done under other circumstances?—I have known instances of persons who, by being enabled to get money at that high rate of interest, have gone on in business longer than they ought to have done. A proof of that has been, that when they find their way into the gazette you find that their assets are next to none.

435. If, in order to obtain that money, they would have been obliged to have recourse to illegal means, do you imagine that they would have had recourse to those illegal means, or would they have stopped payment earlier?—I think they would have stopped payment earlier.

436. On the other hand, do you think there are many instances where persons possessing real property, which is at the moment depreciated in value, are able to overcome their difficulties by raising money at an advanced rate of interest?—Yes.

437. And by that means altogether avoiding insolvency?—Certainly.

438. Is it your opinion that, in cases where insolvency can be prevented, great benefit is derived, not only to the individual escaping insolvency, but to many other parties more or less depending upon him?—Unquestionably.

439. Therefore, if insolvency were prevented by obtaining loans at a higher rate of interest, it would not only save the individual himself from great injury, but it would also prevent great distress and evil to the public, or at any rate to a large number of individuals?—Undoubtedly so; there is no knowing where the mischief stops of suspension of payments in particular quarters.

440. Do you find that the estates of persons that have become insolvent and called their creditors together are more generally exhausted since the passing

of the law than was the case formerly?—That is my opinion, certainly; that is the impression that has been made upon my mind, that the estates of that class of persons who become bankrupt are now more exhausted than they used to be.

441. They do not call their creditors together at the same period of insolvency, but go on borrowing money at whatever interest it can be borrowed at?—Yes.

442. But in giving that answer you of course do not take into consideration the number of persons who are prevented from becoming insolvent at all, by the facility which they have acquired of raising money, by the repeal of the usury laws?—I do not at all mean to underrate the benefit derived by those means.

443. You have suggested a limitation of the interest to 10 per cent., or some other rate; can you suggest to the committee any other modification or alteration of the law which would, while it gave what you conceive to be the benefit of the alteration, in any way mitigate the evils that have arisen out of it?—I cannot say that I am prepared to do that; I would not suggest a limitation of the period for the loans; for instance, I should not consider it a proper mode of dealing with the usury laws to make a distinction of bills having one period to run or another; I do not know that I have given the subject that consideration that it is susceptible of, but I do not myself see how you are to get at the other benefit of enabling persons in one set of circumstances to get money by paying a larger interest than is customary, and at the same time avoid the difficulty you get into on the other hand, of subjecting others to unfair oppression or extortion, or whatever it may be called.

444. Do you think the new law has been long enough in force to ascertain all its workings and all its consequences?—I should think so; I think nothing is worse than an uncertain state of the law; in fact, we are in that position now that we hardly know what is the state of the law at this moment, and it is a matter upon which some of us feel very great interest; I hope that it may now be made clear to us.

445. In what respect is there any uncertainty at present?—The uncertainty that I feel, or rather that I have heard suggested, because I rather take upon myself to say that I do not feel it as an uncertainty, but there are others that entertain a very different opinion upon it; the uncertainty is, whether the usury laws at this moment are altogether repealed, except in reference to securities upon real estates; for instance, the act of Parliament is, in terms, that no contract for a loan of money shall be affected by the usury laws, and yet there are expressions introduced into the act about bills not having more than twelve months to run, which would seem to imply that if a bill had more than twelve months to run, it was within the usury laws; and yet there can be no usury at all unless it be grounded upon a contract; and if no contract for a loan of money, as the act says, is to be usurious, then whether the contract apply to a bill of exchange having five years to run, or to anything else, it is not usury; and yet the act, in the framing of it, appears originally to have been intended to apply, and the previous act refers exclusively, to bills of exchange having a certain period to run, and then there have been introduced into the act words of a much more extensive description, namely, that no contract whatever for a loan of money shall be within the usury laws; which, to my mind, supersedes any question about whether a bill has twelve months to run, because the only usury that could attach in the case of such a bill would be upon the contract.

446. Is your construction of that section of the act of Parliament this, that a contract for an indefinite period may be entered into without being subject to the usury laws?—That is my construction; that while that act is in force the usury laws are repealed, because the only law against usury is, that you shall not contract for a loan of money at a rate of interest beyond so and so; then, if any such contract is not to be affected with usury, there is no usury.

447. May not those words in that section refer to antecedent words, and the word "contract" be supposed to mean a contract for twelve months only?—As

far as I understand it, that was not the intention of the act, and it is not my reading of it.

448. Do you not understand that that is the opinion of many persons?—I have said before there is a difference of opinion about it, but I believe there are a great many who prefer not to give any opinion at all upon it.

449. Do you consider that there is any numerous class of bills that have more than twelve months to run?—No, I do not; but there have been contracts made for the loan of money at more than five per cent. for periods exceeding twelve months; for periods which will not be expired when this act of Parliament expires.

450. According to your view of the construction of that clause in the act, would a bond, upon which it was agreed to pay a rate of interest of more than five per cent. per annum under the existing law, be exempt from the usury law?—My opinion is, that it would clearly be exempt, although the period stipulated for the repayment of the money was subsequent to the period when this act of Parliament expires, so long as the contract for the loan of the money was made while the act of Parliament was in existence.

451. Does not the power of persons engaged in commercial adventures to borrow money at a very high rate of interest enable persons, under the cloak of lending money at a high rate of interest, practically, though not technically in the eye of the law, to become participators in adventures, without being liable to responsibility under the partnership laws?—It is capable of being so applied.

452. Is there any difference in that respect, by reason of the higher rate of interest, from what might be done by a similar advance of capital at five per cent.?—Yes, as I understand it; the object supposed is, that the party does not wish to be a partner in the adventure, but he will put his money into it, provided he can secure a return of 10 per cent. Now, under the old law, he could not have lent his money at 10 per cent.; if he took 10 per cent. it would be either usury or partnership; whereas now I may lend my money to a party who is going to speculate, upon the condition that he shall return me 10 per cent., the meaning being, "You will make 20 by it, and therefore let me have half," but not as a partner; it is capable of being so applied, certainly.

453. What kind of security is usually given by those persons who borrow at 12 or 15 per cent.?—That is on bills of exchange.

454. But which bills of exchange are not considered good paper?—Which are considered doubtful paper.

455. At what period were those high rates of interest you have alluded to given?—I should say that, more or less, they are given up to the present time, because the rate of interest I allude to is regulated rather by the necessities of the party than by the value of money.

456. Do you not consider it to be regulated also by the extent of risk which the parties run?—Certainly; I intended to include under the necessities of the party his want of credit.

457. Then the difference between the common rate of interest in the money market and this high rate of interest may be considered as an insurance taken by the party against a transaction which otherwise he would reject?—Precisely so.

458. Did not the usury laws, in their former state, in point of fact add to the extent of that risk?—In the former state of the usury laws the transaction could only take place by an evasion of the law as it stood; and any party who did not care to engage in an evasion of the law would pay more still, because he would have to pay for both contingencies—the want of credit and the risk of detection.

459. Can you state what has been the utmost rate of interest of money which has come under your notice, taking into consideration the interest of money and

the commission charged?—I think the other day I met with an instance of a man paying five per cent. for a two months' renewal, and continuing that for twelve months.

460. How much does that make in the total interest?—Thirty per cent.; that happens to be a case of recent occurrence which I happen to have in my mind, but it is of very rare occurrence.

461. Do not you think it possible to put an end to practices of that description, without interfering with what might be called the fair range of the contraction and expansion of the interest of money?—I do not see my way to it; the only way, I presume, would be by making it an offence; but then the difficulty would be to define it; there would be no end to questions as to whether the thing was *bona fide* or an unfair extortion.

462. Under what circumstances was this high rate of interest which you have just mentioned paid; was it in the case of a person in bad credit or in good credit?—It was a person not having access to the money market, not in trade; a man, I should say, who, if he had had access to the proper parties, who knew him, ought to have borrowed his money at something like the usual rate; but not having those quarters to go to, he went to the only channels he could meet with, privacy being to a certain extent an object with him.

463. Was it for a considerable sum?—I think altogether it was about £2,000.

464. Is not what you call privacy almost always an object with persons borrowing money at a high rate of interest?—I should not say it was, if it be all fair—if the object be legitimate.

465. If they are paying a rate of interest which persons in good credit would not pay, would not the mere apprehension of injuring their credit induce them to desire privacy?—It would to a certain extent, but, generally speaking, the privacy would be with the broker who got the money for him; in the instance I allude to it was not done through a broker.

466. Was it a bill drawn by the person and accepted by him?—I think it was his own note. I did not mention that as furnishing any criterion, but I was desired to state the highest rate I had met with, and I stated it on that ground, not as furnishing any datum for any other transaction.

467. But below what you call the highest rate, you have met with other instances of a high rate?—I have.

468. Rates beyond 10 or 12 per cent.?—Varying from 10 to 12 and 15 per cent., excluding the commission.

469. And those are not uncommon or unusual?—Those, I should say, are not unusual.

470. Are you acquainted with the transactions of advances under the annuity acts?—I know them generally; but I have had no experience in dealings in annuities.

471. Previously to the relaxation of the usury laws with respect to bills of exchange and other securities, did not the annuity acts in themselves operate as a total repeal of the usury laws quoad advances made by annuity?—Yes, they did, undoubtedly; but it was not a mode of raising money resorted to by commercial men.

472. But it was resorted to by persons under the pressure of distress, and who had not the means of giving security beyond their lives?—Certainly.

473. But not among commercial men?—Not among commercial men.

474. Have you any mode of estimating whether those annuity transactions have increased or diminished subsequently to the relaxation of the usury laws?—Personally I have not. It is easily ascertained, because they are all enrolled.

475. From your experience upon this subject, do you consider it possible that many persons, obtaining an advance of money at a rate higher than five per cent. previously to the relaxation of the usury laws, have been driven to raise money upon annuities?—I think it is very likely. The case put in the former

question, of persons having a life interest, is a case that can hardly be dealt with except by annuity, because they have no security to give for the principal.

The witness is directed to withdraw.

James William Freshfield, jr., esq., is called in and examined, as follows:

476. You are a solicitor in the city of London?—I am.

477. You are a solicitor to the Bank of England?—I am.

478. Have you been in business for any length of time?—I have, for twenty years.

479. Of course, therefore, you are acquainted with the state of business in the city, both before the passing of the late laws respecting interest of money and since?—Yes.

480. In looking at the operation of those laws upon the business of the city, both as it respects the transaction of the business materially, and as it respects the character for integrity and honor of the persons concerned in it, what is your opinion of the operation of those laws?—I have never given any attention to these subjects speculatively; I have only considered them when they have come under my notice in the course of my business, and looking at it in that way, I have no hesitation in saying that among the bankers and higher class of money dealers, with whom I have been more particularly engaged in business, the relaxation of the usury laws has been decidedly beneficial, in my opinion.

481. You say among the higher class of bankers and merchants. Can you state at all how it has operated among what may be called the second class of men in business?—Among the retail dealers and traders I cannot state what has been the operation of the relaxation in the usury laws: but, speaking generally of the operation of that relaxation during the last two years, I think it has been eminently useful. I think that during the last four years in particular the city has suffered a pressure for money greater than I ever remember before, and that pressure has been borne with a degree of ease which I think has never been the case before, in consequence of the relaxation of the usury laws and the great facility which that has afforded to persons who had security to avail themselves of it; and I think, upon the whole, among the bankers and the larger class of money dealers, there has been less of failure, in consequence of that, than at any previous period of pressure at all analogous to it; but I do not wish to give any opinion as regards the operation upon the retail dealers and traders, because that has not come under my own personal observation.

482. You say that the pressure for money has been greater during the last year or two than at any former period within your recollection?—I think, as a continuous pressure, during the last four years it has been greater than at any previous period in my recollection.

483. Therefore that pressure, which has been much greater than at any other period within your recollection, has existed during the period when the penalties upon usury have been suspended?—I think the first act of Parliament which passed relaxing the usury laws in 1833, and which was a clause in the bank act, authorizing dealing in bills of exchange for three months, had very little operation, and the law remained in that state till the summer of 1837. It was at the close of 1836 and the beginning of 1837 that the pressure commenced, and the pressure has continued, more or less, ever since, aggravated by the insufficient harvests that occurred and the political and financial state of things in America. The pressure had manifested itself in the most striking manner anterior to the material change in the usury law which took place in 1839. I think that that pressure, being in its full force at that time, has been relieved to a remarkable extent in consequence of the change that then took place.

484. Whether it has been removed or increased by the alteration of the law, in point of fact it has existed in its greatest intensity during the period that the present law has been in force?—Certainly, to some extent it has.

485. But you do not mean to attribute any part of that pressure having occurred to the relaxation of usury laws?—Quite the reverse.

486. Your business is principally with the bank and the great houses of business and banking in the city?—I have also a very considerable and extensive business with the merchants and mercantile interest in the city; but of the operation of the usury laws on that class of persons I do not speak with so much decision, because my attention has not been drawn so forcibly to that as it necessarily has to the class of persons whose business consists of dealings in money.

487. Among that second class of persons, have you seen cases in which large sacrifices have been made for borrowing money?—Yes, I have.

488. To what extent in point of rate of interest?—I think that I have never seen any instance beyond ten per cent., or at the utmost twelve per cent.

489. Are you speaking of the interest charged, or of the interest combined also with commission?—I think I may say the interest combined with the commission.

490. Taking the two together, you have not had under your notice cases beyond ten per cent. interest?—I think not above, at the utmost, twelve per cent., including both interest and commission.

491. How did that class of persons get their accommodation in former times?—By a great sacrifice of property; by sacrificing their goods.

492. Was not there always an amount of capital employed in discount to persons of that description within the legal interest of five per cent., which they would still have had at that interest, if the alteration of the law had not taken place?—I think not nearly to the same extent during such a period as we have had the last three or four years.

493. Why not? has the present law contributed to create new capital which did not exist before?—It has brought out capital that under other circumstances would not have been made so available.

494. To what other employment could that capital have gone?—I cannot follow out the ramifications of the money market, but I am inclined to think that a great deal of money has been withdrawn the last three or four years from various foreign stocks.

495. Have you not been acting in the estates of many insolvent persons?—I have.

496. Have you found that lately their assets have been very much exhausted by the high rate of interest they have paid?—In the cases that have come within my own experience, I should say that they have not suffered materially from the high rate of interest that they have paid. I think the relaxation of the usury law may perhaps be prejudicial in another way, namely, in enabling them to pledge and dispose of their property; but I do not think the sacrifice made by the interest they pay is one that does materially tend to the injury of their estates.

497. Had there been no such relaxation of the usury law, would it not in many instances have had the effect of compelling them to part with their property altogether?—I think decidedly so.

498. And probably at depreciated prices?—Probably at greatly depreciated prices; still to the creditors, probably, the consequences would not have been more ruinous, because, if they had pledged and disposed of all their property, the creditors would equally lose the benefit of it.

499. Is not it within your experience that generally the estates of persons coming to insolvency have been more exhausted, and therefore less available to their *bona fide* creditors, since the alteration of the law, than they were before?—No; that has not been my experience; all the improvements in the mode of conducting trade and banking in the city of London have that tendency; the facilities afforded by the docks, and the facilities of banking, all have a tendency

to enable parties to make more use of their credit, and (if they are so disposed) to make way with their property, and therefore there is necessarily a constant tendency towards that state of things which has been referred to, but I have not noticed it particularly within the last three or four years; it may have existed, but it has not fallen under my notice.

500. What is the general rate of interest that you think business is done at now?—The rate of interest has fluctuated exceedingly; the great advantage which, I think, has arisen from the relaxation of the usury laws has been, that parties have been enabled to obtain money at some rate when they wanted it for short periods; I have known bankers give, in the last three or four years, 10 per cent. for money for a short period, and it was very much better worth their while to give that high rate of interest for a short period, than it would have been to have paid a much lower rate for a longer period, yet they never could have borrowed money for a short period but at such a rate as would tempt the capitalist to produce it. I remember a case within about three or four years ago, a very eminent mercantile house who required to borrow £100,000, and they had ample landed security to offer, but as the law would not allow them to give more than five per cent. upon landed security, and as no individual would lend his money for six months or twelve months, which was the period for which alone they required it, they were prepared to stipulate, and I was authorized to stipulate to keep the money for the period of seven years; now, that certainly is an illustration of what I mentioned, namely, that a loan of money at a high rate for a short period is much more beneficial to the trader in many cases than to be compelled to take the money for a period that he does not want it; yet it is obvious that no man will lend his money at a low rate for a short period, except some benefit of that sort is held out to him.

501. So that in the case you mention a very heavy debt and protracted responsibility were incurred, which would not have been incurred had the usury law admitted of a higher rate of interest being given?—It was not actually incurred in that case; the parties were enabled to raise money upon commercial security at a higher rate of interest, and did raise money upon personal security; and I have reason to believe that the whole of that money was paid off, one-half of it at six months, and the remainder in six months further; it was nothing but a temporary want.

502. But they had found the difficulty so great as to authorize you to incur that responsibility?—I was authorized to incur that responsibility.

503. Can you state the average rate at which business is done in the city?—At the present moment the bank rate is five per cent.; that necessarily keeps up the banking rate of interest to five per cent.; I think the rate of interest would fall below five per cent. if the bank did not at present keep it up to that; and therefore I think that may be considered as being about the market rate.

504. The operation of the bank has a tendency to keep up the rate of interest elsewhere?—Certainly.

505. And in the same way when the bank lowers its rate of interest, that produces a considerable effect upon the market rate of interest?—It immediately brings it down.

506. The bank have never taken more than six per cent.?—No.

507. At the time they took six, was that the market rate of interest?—No, there was a rate given beyond that; there is a class of paper which is beyond the bank's limits in point of time; and there are other circumstances affecting the negotiability of paper to be considered, and as probably the parties would not get from the bank the full amount required in a time of pressure, and the market rate at those times was occasionally considerably beyond the bank rate.

508. Seven and a half, perhaps?—Yes; probably about that, but for short periods, I should say: and I wish to observe, that not being in the trade, I

speak from a knowledge of particular and occasional transactions, and not from the daily course of business.

509. You have spoken of the sacrifices at which parties were sometimes compelled to sell their goods prior to the relaxation of the usury laws, when there was considerable pressure upon trade; were those sacrifices, in your judgment, a greater burden than the excess of interest which, under the relaxation of the usury laws, they are now called upon to pay?—I think they were infinitely more burdensome and destructive.

510. Were they not also collaterally destructive to the property of other persons who owned property of the same description as that which was so sold at a depreciated value?—Decidedly.

511. Lowering the value of the whole of the commodity that was so forced into the market?—Most decidedly.

512. During the existence of those compulsory sales in time of pressure, must there not have been a considerable mass of capital employed in purchasing goods which were sold at a depreciated value in consequence of the depressed state of the market?—Certainly.

513.—Under the relaxation of the usury laws those compulsory sales being lessened in number, the necessity for them being diminished, must there not be some extent of capital previously employed in the purchase of depreciated goods which now becomes applicable in the discount of bills?—Probably that is so.

514. And so far there is an extended capital applied to commercial discounts that formerly was employed in another way?—Probably that is the case.

515. Can you state, from your recollection of the times before these laws were altered, that there was any great want of capital in the city of London for the discount of any commercial paper that was fit to be discounted?—In times of difficulty and pressure I think that money has not been to be obtained at all at the period you are speaking of; in ordinary times, no doubt, five per cent. is quite high enough; but I speak of times of pressure; and there have been times of pressure when money was not to be had.

516. Do you remember the transactions of the year 1825?—Yes, perfectly well.

517. At that period exchequer bills were at 80*s.* discount, and India bonds were entirely unsalable, or nearly so. Was money to be had at that period upon ordinary commercial security?—It certainly was not; and I think the pressure that has taken place during the last three or four years would have been productive of consequences equally disastrous, if there had not been the relief afforded by the relaxation of the usury laws. I wish to state upon that subject, that the act of 1837, applying only to the discount of bills, was altered in 1839, by extending it to contracts generally; and I had the honor of communicating with the then chancellor of the exchequer upon that subject; and I wish to state that in any measure of this description I think it most material that the relaxation of the usury laws should be the rule and not the exception; the law of 1837, applying only to bills of exchange for twelve months, was found to be, practically speaking, very nearly inoperative, because it is only in times of pressure and difficulty that the rate of interest is above five per cent.; and when the rate of interest is above five per cent., and credit is at a low ebb, parties will not lend money without collateral security; and the act of 1837 authorizing the discount only of bills of exchange, it was doubted whether the transaction was protected if the bill was collaterally secured by property, and therefore that act was in truth inoperative; it was afterwards proposed to amend that, by authorizing a loan upon various securities; but it is found that all enumerations of that sort are sure to lead persons eventually into difficulty; and while the law remains that the loan of money at a rate exceeding five per cent. is generally illegal, with certain exceptions, the courts of law will always endeavor to narrow the exceptions as much as possible; and therefore a man lend-

ing his money is almost sure to find himself in the position of having the question raised, whether his case is the precise exception within the act of Parliament.

518. Then you would extend the relaxation to loans upon the security of land as well as personal property?—A difficulty arises upon that very question under the last act, for it occurred to me at that time to find that many transactions could not be carried on in consequence of the exception of land—certain dock securities and railroad securities, which partake of the nature of securities on land—and great inconvenience arose because money could not be raised on them at a rate beyond five per cent. I do not offer any opinion on the general question of the relaxation of the usury laws, nor upon the question of the relaxation respecting land, because those questions may embrace considerations which I have not entered into; but whatever law passes upon the subject should be a simple law, for otherwise individuals are entrapped into the commission of usury.

519. But supposing the object was to exempt from the operation of the usury law money lent for short periods, how would you propose that the bill should be drawn?—I would make a general exemption of all contracts for the loan or forbearance of money for periods not exceeding any time that your lordships should think fit.

520. You mean not exceeding a certain number of months, or a year?—Yes.

521. That would not include a bond, would it?—Yes, it would; a bond is for a certain period.

522. Supposing that state of the law to exist which you recommend, and that executors or trustees were called to account for transactions of bygone times, and they were able to plead that in the management of their business they were obliged to pay one year six per cent., and another year ten per cent., if it were left without any limitation whatever; would not that open a great door to fraud?—No; I think not.

523. Supposing a person to be accounting in the court of chancery for transactions of bygone times, at present he would be limited to five per cent. interest; but would not it open a great door to fraud, if he had the power of stating that he had been obliged to pay a certain high rate of interest for money, where there was no power of checking the transaction?—It would be like any other payment he made; whether it was warehouse rent or commissions on the sale of goods, or the purchase of goods or anything else, he must vouch his account by showing what he paid.

524. In the case of warehouse rent or commissions on the sale of goods, are not those charges which are in themselves limited, and which the persons to whom they are charged are capable of ascertaining the correctness of; but would that be so in the case of the charge of interest of money, where the committee have heard that different rates may be charged—from three or four per cent. up to thirty per cent.?—It could hardly happen that executors would be in the position of borrowing money and having interest to charge; but if they were, I see no more difficulty in their passing their accounts charging the interest they have paid than any other payment they have made.

525. Do you conceive, under the act of 1839, that a contract for a loan of money, not being a promissory note, may be made exempt from the operation of the usury laws for a period longer than twelve months?—That has been my opinion

526. That is your construction of that clause of the act?—Certainly it is.

527. Considering that when money is borrowed upon bond, although nominally the person is to pay within a certain period, it is very well known that the money is lent for a longer period, and it is under very different circumstances from those of a mere bill which is due upon a certain day, would you include bonds within the relaxation of the usury laws?—I certainly would. I think that if the usury laws are to be relaxed at all, they should be relaxed very generally. I repeat, that it is only in time of difficulty and pressure that there is

any advantage in increasing the rate of interest beyond five per cent., and in times of that sort every facility should be afforded.

528. That would apply only to loans for short periods; but in case of a bond, which, in point of fact, though not technically, is a loan for a considerable time, why should not they be exempted from the operation of the usury laws?—A bond is in form payable at the expiration of six months; the debtor may at the expiration of six months pay it off if he chooses, and therefore the contract is a contract to pay six, seven, or eight per cent. for six months. If the debtor chooses to prolong it beyond that period, that is at his own option; it is no part of the contract; or, if it be part of the contract, it becomes illegal, assuming the law limits such a contract to six months. If the money continues beyond six months without any new contract, it will be at the legal rate of interest.

529. Do you consider that the relaxation of the usury laws has had the effect at all of raising the interest of money lent on mortgage?—I do not.

530. That has remained pretty steady during the fluctuations in the value of money invested in other securities?—Very nearly so. The rate of interest of money upon mortgages is to a great extent affected by the public funds The Equitable Insurance Company lend upon a scale which has reference to the price of the funds, and when the funds are below ninety I think there is a difference of a quarter or half per cent., and the consequence is that the funds having been below ninety, I think the rate of interest upon mortgages has been gradually raised—that is to say, there has not been the same disposition to lend below four per cent. as there was before.

531. What do you consider the present current rate of interest upon mortgages now to be?—I think within the last twelve months it has been about four per cent., but I believe it may be had now under four per cent.

532. And it has been in that state the last three or four years?—Yes.

533. So that while the interest of money borrowed upon land has been under four per cent., and while the interest of the public funds has been kept a little above three per cent., the transactions of merchants have been liable to fluctuations from three up to twenty or thirty per cent.?—I do not think the transactions of merchants have been liable to that high rate; the transactions of traders may have been, but not of merchants, I think, at that very high rate; but no doubt there has been a great difference, and no doubt also the risk has been generally commensurate with it.

534. Was there the same distinction in the year 1825, which you have stated to have existed recently, of the interest upon mortgages remaining pretty constant, whilst money was scarcely procurable upon any terms upon mercantile security?—I think the rate of interest upon mortgages at that time was not so settled and so well defined as it has been lately; the bank had only recently advanced money upon mortgage, which first fixed the rate at four per cent.; but I think that much of the money still remained out at a rate above four per cent., and that it was not then so well defined as it has been lately.

535. The object of the question is to ascertain whether at the period of 1825, when the great fluctuations occurred in the value of money as measured with reference to other securities, the interest upon mortgages still remained, relatively and comparatively speaking, undisturbed?—I will not speak positively to the rate of interest upon mortgages at that time.

536. Is not the circumstance of the rate of interest upon mortgages being so much less to be ascribed, to a considerable extent, to the interest being of a permanent character, whereas the interest upon commercial transactions is of a temporary duration?—Most certainly, and to the nature of the security.

The witness is directed to withdraw.

James Cook, esq., is called in and examined, as follows:

537. You act as a broker in the city of London?—I do.

538. In what branch of trade?—A produce broker, intrusted with the sale of

merchandise generally to a very considerable extent, but more particularly connected with the trade of the East Indies and West Indies.

539. Your business makes you acquainted with the general transactions of merchants doing business in the city?—Yes.

540. And with the practical transactions of general business?—Yes.

541. Have you been in that situation for some years?—The last 25 years.

542. Therefore you are acquainted with the condition of the business of the city, both before and since the alteration made in the laws regulating the interest of money?—Yes.

543. Will you state to the committee how you consider the change in those laws to have operated?—My own view is that the alteration has been extremely favorable to the capitalist, but extremely detrimental to the borrower, and I therefore consider that it has operated very badly. I calculate that sugar amounting to thirteen millions sterling is sold upon credit; tea, six millions; coffee, two millions; tobacco, five millions; wine and spirits, seven millions; British spirits, eleven millions; cotton, ten millions; British and foreign wool, fourteen millions; flax, three millions; silk, three millions; which articles I enumerate as having come more especially under my own notice, my business being to sell the greater part of such merchandise to dealers, traders, consumers and manufacturers; the whole of the transactions in these articles and a few others, amounting at least to one hundred millions, are represented by bills of exchange, and I reckon that the amount of the difference of interest paid by persons discounting these bills in consequence of the change in the law cannot be less than a million and a half, which sum has gone into the pockets of the capitalists, and for the most part has been withdrawn from the industrious classes of the community, for there has been no profit commensurate with the heavy charge for interest; therefore, I believe the relaxation of the usury laws has acted unfavorably upon the trade of the country.

544. How do you come at the precise sum of a million and a half?—I consider that, supposing no change had taken place, only five per cent. could have been charged; and I reckon that a difference of one and a half per cent. has been exacted in consequence of the repeal of the usury laws.

545. How are those bills drawn; what is the course of the transaction?—I will state the course of the transaction with regard to sugar, which branch of trade is to the extent of thirteen millions; it is in my department to sell the sugar for the consignees, particularly of the Mauritius, of which description of sugar the greater part comes into my hands; the purchasers from me are the wholesale grocers and refiners, who again resell it extensively on credit to the dealers and consumers, and draw generally bills for the amount of their sales, and those bills have to be discounted; tea is sold in bond to the tea-dealers, who pay the duty, and many of them resell it to the consumers, and upon whom bills are likewise drawn; it is partly the same with coffee, tobacco, wine, spirits, timber, flax, &c., &c.; the Italian silk also is sold upon bills at four months' date.

546. Those are transactions in which, to a very great extent, you are yourself concerned?—Yes; I am aware in what way they are transacted.

547. At what rate were those bills formerly discounted, before the laws were altered?—Certainly at one to one and a half per cent. less than they have been since discounted.

548. At what precise rate?—Five per cent., and occasionally a commission charged by the bill-broker in addition to the five per cent.

549. Was not that in violation of the law as it existed at that period?—It would have been if the broker had made a *bona fide* transaction of it himself, that is, discounted it with his own money; but if the broker who received those bills could obtain the capital from a banker or from any other capitalist, and charge any commission he pleased, then it would not have been a breach of the usury laws; and I know that the trading community were occasionally subject

before the repeal to commission upon bills, and had to pay in scarce times more than five per cent.

550. In those times you allude to, before the alteration of the laws, to what amount did the interest, including the commission, exceed the legal interest of five per cent.?—That is rather a difficult question to answer; it would vary, depending entirely upon the state of the money market.

551. Did it ever amount to six or seven per cent.?—My own impression would be, that it never would have been more than five and a half or six per cent.

552. What has been the case since the alteration of the laws?—Seven, eight, and ten per cent.

553. Has ten per cent. been common?—Certainly not with mercantile people, but the trading community have been subject to that, and even a much higher rate.

554. The paper you are now speaking of constitutes the paper used for the great commercial transactions of the country?—Yes.

555. Is not paper of that description discounted at the Bank of England?—I should say only a small proportion of it.

556. Not sufficient to take off the large mass of what you would consider the good paper of the commerce of the country?—Referring to silk, the date of the bills would be four months; consequently the bank would not discount them at all, and that would be the case with the bills for timber, flax, and many other articles of merchandise.

557. Till those bills came within the period limited by the bank?—The traders could not hold the bills; they would be obliged to discount them, in order to get capital to carry on their business.

558. In the times you have spoken of, before the alteration of the law, did the traders, in point of fact, find any material difficulty in getting their bills discounted?—I believe none, comparatively; I consider that the alteration of the law, as I stated, has operated badly upon trade, for no new money has found its way into the country. I believe that the trade could have been carried on under the former law with the same facility as it has been carried on since the repeal; therefore I infer that the capitalist has got a benefit upon those transactions to the extent of a million and a half, and that that money has come out of the pockets of the middle classes of the community; and hence arises, in a great degree, so much insolvency at this time; from inquiries I have made from different official assignees of the court of bankruptcy, I find many of the bankruptcies have no assets at all to divide among the creditors, for it is found that the high rate of interest has left comparatively nothing, and it is also found that persons who have been lending money have been reaping a great harvest, to the disadvantage of the general body of creditors.

559. Will you state who the official assignees are to whom you refer?—The one I particularly allude to is Mr. Johnson, and also to Mr. Edwards.

560. Any other?—I refer to those two.

561. You consider that, in the present state of the high rate of interest, a large portion of the profit upon the commerce and adventure of the country is derived by money lenders, to the detriment of the active persons carrying on the commerce of the country?—I have no doubt that it has been a most injurious measure; the time, probably, has been an unfavorable one for the experiment; but without looking prospectively as to what the effect under a better state of things may be, my evidence is only meant to apply to what has been the effect hitherto, and that the trading community have suffered considerably by the alteration of the law; for I believe they would have obtained equal facilities under the old law, and therefore the additional amount of interest they have been subjected to has been transferred from them to the capitalists and persons who have money to lend. With reference to myself, I am in that position that the law is ex-

tremely favorable to my interest, and, as far as I am personally concerned, I could have no other wish than for its continuance.

562. Do not you think that, under the law as it formerly stood, many persons were obliged to sacrifice their property who were not able to borrow money, and who now, being able to borrow it by offering a high rate of interest, save themselves from that necessity?—That is the popular view of the case, and that is the impression of many persons in the city; but having been in the habit of making considerable advances myself at different periods, I should say that there would have been little or no difficulty on the part of respectable people in getting facilities under the old law; but I know that many of my friends in Lombard street entirely differ with me in that opinion.

563. The money you have advanced you would have advanced within the limits of the rate of interest at former times, though you are very glad to take whatever the alteration of the law now permits you to take?—Certainly.

564. Do you find persons carrying on trade frequently complaining that the alterations made in the interest of money, alterations which are frequently imputed to the conduct of those who lend money, particularly of the Bank of England, operate very prejudicially upon the persons carrying on the real commerce of the country?—The trading community complain very much of the alteration of the law, and do not at all approve of it, for it has operated unfavorably upon them as borrowers.

565. Is not it the case that in times of plenty they may begin their operations under the expectation of an interest of three per cent, and that the rate of interest may be screwed up before the transaction has terminated, so as to oblige them to pay seven, eight, or ten per cent.?—Since the repeal of the law I doubt whether in that respect it has operated unfavorably, because the rate of interest has been very high; in fact, most persons have been looking ahead a little.

566. You have stated just now that the trading interest are unfavorable to the present law; what do you understand by "the trading interest?"—I refer chiefly to the buyers of produce generally, as coming under my own observation, and particularly grocers, drysalters, &c., the greater part of their trades being conducted upon credit; and I can give your lordships an instance of a person who has recently failed in the colonial market, who ascribed his failure chiefly to the high rate of interest he had been subject to by discounting bills; he mentioned as having to pay £90 a week for discount, and having no profit equal to it.

567. Under what circumstances did he discount at that rate?—The circumstances were, that he required facilities to carry on his business.

568. What would have been the consequence, supposing he had not discounted at that rate?—I do not attribute his failure altogether to the high rate of interest, but many are bolstered up by borrowing at a high rate of interest from month to month; and when they fail, and their accounts are looked into, it is found that there are no assets left; it would therefore be well worth the while of this committee to examine some of the official assignees.

569. To what do you say that that person attributed his failure; you were understood to say that he attributed it to his having paid a high rate of interest?—He could not bear up with the high rate of interest he had to pay every week.

570. Are you of opinion that he could have obtained his money, had it not been for the relaxation of the usury law, at five per cent. interest?—The party I allude to banked with a city banker, and I have no hesitation in saying that he would have obtained discounts at five per cent., and the difference went into the hands of the bankers, to the cost of the creditors.

571. And, in your opinion, those rich persons, to whom you have alluded as having lent money at a higher rate than five per cent., would have lent their

money to the same extent at five per cent. if there had been no such relaxation of the law?—I have no doubt of it.

572. You think they had no other means of obtaining interest for their money higher than five per cent.?—The capitalist would have been contented with employing his capital at five per cent., but as the law gave him more than five per cent., of course he obtained more than that rate.

573. Do you think he would have been contented with five per cent. if he had had the means of employing his money so as to obtain from five to six or seven per cent. without discounting bills?—I think, in the case I have alluded to, the bankers would have discounted the bills at five per cent.

574. Do you think that bankers have no means of employing their money otherwise than by discounting bills, so as to make more than five per cent.?—That is the general mode adopted by all prudent bankers.

575. Was there any other mode of employing his money by which a banker could make more than five per cent. before the alteration of the law?—I believe occasionally it could be done.

576. By investments in foreign stock?—No prudent banker would have invested his money in that way; but I believe that bankers might have obtained a higher interest by buying stock for money, and selling it for time.

577. Do you believe that at times when the market rate of interest exceeds five per cent., a banker employing part of his disposable capital in discounting bills, and part in investments of another description, would not employ less in discounting bills if he was debarred from obtaining more than five per cent. for it?—I do not think he would, from my experience of banking operations in the city.

578. In point of fact, you do not think the relaxation of the usury laws has brought more money into the market to be lent?—The circulation and the exchanges show that no new money has been introduced into the country; there has been only the same quantity of money to deal with; and that money being held by capitalists, they have been receiving an extra rate for it.

579. Do not you consider that the value of money varies?—Yes, it does.

580. And therefore it is worth more at one time than at another?—But it was never worth more than five per cent. in this country before the repeal of the usury laws took place.

581. Could it be got at five per cent. during the time of the pressure in 1823?—Yes; the Bank of England at that time acted liberally, and almost every one could get money.

582. Provided they gave good security?—Yes

583. Not upon personal security?—No.

584. Do you consider that the value of money is never more than five per cent. in this country; do you consider that the value of money was ever greater than five per cent. before the repeal of the usury laws?—It could not have been greater than five per cent., except in particular instances, for only five per cent. could be exacted before the repeal of the law. I admit that money may be got from one district to another when there is a surplus over the wants of such district, but you still have only the same quantity of capital in the country.

585. Then you would say that the law could regulate the value of an article?—I do not mean to say that the alteration of the usury laws prospectively may be a bad thing; I do not venture to give an opinion upon that point, but merely what the effect has been hitherto.

586. You said, that before the repeal of the law those bills were in the habit of being discounted at a greater rate than five per cent., because there was the five per cent. plus the commission and various other charges, which made it come to six or six and a half?—That was only an occasional thing when the

bill-brokers employed their own capital they could not exact beyond five per cent., because it would be usurious.

587. Including commission?—There was no commission charged in such a case.

588. Did not the amount of commission vary according to the state of the money market?—There was a certain price, an eighth or a quarter per cent., in addition to the five per cent.; but, from my recollection, it was considered unfair to charge more.

589. You are not aware of commission to a greater amount than you have just stated being charged?—I am not a bill-broker, and consequently cannot say what charges persons might have been subject to; but I do not believe it was ever more than an eighth or a quarter per cent., never making the rate of interest more than five and a half to six per cent.

590. Are you in the habit of getting great advances upon bills?—It is my business to make considerable advances; I am drawn upon to the extent of millions sterling in the course of the year, in addition to which I have a large available capital of my own; and I do not deal largely in bills, although occasionally I find it convenient to take money when it answers my purpose.

591. On behalf of your correspondents, are you in the habit of raising money upon their securities?—I seldom or never do that; and when a person intrusts me with his property for sale, it is much too sacred a thing to hypothecate that property.

592. You are not aware of any cases in which persons in trade, previously to the relaxation of the usury law, were desirous of obtaining money at five per cent. with tolerable security, and were not able to procure it?—There may have been cases, but not within my knowledge.

593. You conceive, then, that every trader had it within his power to obtain money at five per cent.?—I certainly do. It may be well to observe here, that the rate of interest on the continent generally is now low: in Paris it is two and a half to three per cent.; in Holland it is the same; in Hamburg it is the same; but notwithstanding the low price in the different states of Europe, foreigners are not tempted to send it here by the high rates of interest.

594 Do you mean to say that capital does not flow freely from one country to another according to the demand that exists for it?—It is notorious that foreign capital has not found its way to this country since the repeal of the usury law.

595. How is that known?—That is known by the circulation and by the exchanges.

596. May not more capital be withdrawn from other sources into the discount market at one time than at another?—If by the alteration of the usury laws the interest becomes higher, money may be diverted from mortgages and other sources and applied to discounts, but you have only the same quantity of capital to deal with.

597. Do you mean to say that the quantity of disposable capital in this country is stationary and is not liable to vary, not liable to be diminished by capital being exported to other countries, or to be increased by capital being imported from other countries?—What the case prospectively may be is another thing, but the effect has been not to cause new capital to flow into the country; therefore the alteration has told in favor of the capitalist.

598. Has not a great deal of capital gone out of the country since the law was altered in the last three years?—Within the last eighteen months or two years, it appears to me, looking at our political relations with different parts of the world, that, however tempting French stock may have been for capitalists to invest in, or however tempting American securities may have been, it has not been a question of rate of interest, but a question of security, and, therefore, I should say, that for the last eighteen months or two years very little money has been sent out of the country.

599. Do not you think the unsteadiness of the commercial state of things in this country may have kept the foreign capitalist from advancing money here ?—I do not believe that has had much to do with it.

600. Is not your meaning this, that, practically, the banker in London does not send his money over to France, nor does the banker in Paris send his money over to be employed in London, at every variation of the price of interest, and, therefore, there is not that immediate circulation of capital, corresponding at all times with the different rates of interest in different countries, which is supposed; but, in point of fact, that part of the capital which is employed in discounting the commercial paper of the country is confined to the country where it exists ?—I think so.

601. You think, then, that the investment of money by bankers in other securities than bills is not affected by the rate of interest they can procure from such investment ?—I think all prudent bankers—and I am acquainted with several of them—make their investments almost entirely in bills and not in other securities. In fact, the banker with whom I bank, if I was aware that his disposable balances were locked up in other securities but available ones, I should have rather an indifferent opinion of his system of doing business, for when a storm came the consequences might be serious.

602. Are there not other classes of persons besides bankers who discount bills, more or less, at different times ?—Yes, there are ; but the principal discounters of bills are bankers and bill-brokers.

603. Can you state in what proportion ?—It is a small proportion, but I have not any statistical calculation that I can give to the committee.

604. Would not any person not a banker, who was in the habit of discounting bills, be influenced in the amount he so discounted by the general rate of interest he might obtain from other investments of his capital ?—I think there are a very large number of persons who are tempted to discount largely in consequence of the high rate. They squeeze the individuals, but there is no profit commensurate to the rate of interest paid, and they go on borrowing, and at last come to a stand.

605. Is not the amount of capital so advanced by such persons an addition to the whole amount of capital that would otherwise be employed in the discount of bills ?—Yes.

606. Then, *pro tanto*, there is a variation in the capital employed in the discount of bills ?—Yes.

607. Must not it be capital withdrawn from some other employment ?—Yes ; but it is still in the country ; there is no new money created.

608. That is capital withdrawn from another mode of investment and applied to the discount of bills ?—Yes ; but you get no new money into the country.

609. Do you consider that the general value of money was limited to five per cent. in the year 1825 ?—I believe upon stock transactions there was an enormous rate obtained for it—as much as 10, 15, or 20 per cent.

610. In that case, do you consider that discounts of bills could be obtained at five per cent., when upon stock transactions as much as 15 or 20 per cent. could be made ?—During that period the Bank of England were extremely profuse in their discounts. The bank opened their coffers, and came forward and put a bold front upon it, and gave facilities to every one. In fact, there was no difficulty in getting money.

611. The question refers to the period prior to the opening of the coffers of the bank.—I cannot define the particular periods, but I know that in 1825, during the great crisis, there was no difficulty in getting money. In fact, there has been more difficulty in getting money with the higher rate of interest than there was with the low one.

612. How do you account for there being no difficulty in getting money at five per cent., when, as you have stated, 10 or 15 or 20 per cent. might be ob-

tained ?—The bank came forward and supplied every one liberally on bills at five per cent.

613. Does not the difficulty now of obtaining money arise sometimes from the holders of it holding it back under the expectation of getting a higher rate of interest ?—There is no doubt of it.

614. In your transactions in cases of insolvency, do you find the estates, generally speaking, much more exhausted under the present state of things than they were formerly ?—I beg leave to state that I think your lordships would better obtain information upon that point from some of the official assignees. I have made inquiries, and I have found the most disastrous results. I know one case of a wine merchant who failed for £15,000, and the whole of his assets are £300. It is found that some money-lender has been accommodating him, who has obtained an advantage of 20 or 30 per cent. in interest; whereas, if the party had failed months before, and had not been tempted to go on, there would have been a very fair dividend to his creditors.

615. Are there not many cases of individuals who have been saved and become prosperous afterwards, by the aid of the relaxation of the law ?—It is always a difficult point to define what the particular position of certain individuals may be. I know such an opinion is entertained by many of my friends in the city, and it is possible that persons have got facilities, instead of being compelled to sacrifice their property, and have been considerably benefited. Still I believe that under any circumstances those individuals would have obtained those facilities without the repeal of the law. I have here a communication from a mercantile friend in the country on this subject, and with the permission of the committee I will hand it in.

616. Can you state to the committee what the operation of this law has been in Liverpool, or in any other part of the kingdom ?—I will read the letter itself. This is in answer to a letter which I wrote upon the subject: "A. considers the partial repeal of these laws to have acted on commerce very prejudicially, to have materially aggravated insolvency, and to have exposed even respectable parties to great exactions. He mentioned a recent case in which a holder of cotton had made a bill payable with B. the banker, and that in order to get it discounted he had to pay them six and two and a half per cent. commission on three months' paper. B. knew it was a case in which he could not apply to his own regular bankers, and therefore he was squeezed accordingly. He also referred to a recent failure of a person of the name of Z., whose estate in two or three years had been entirely consumed by commission and high rates of interest. C., who is well acquainted with banking and all money matters, and who has seen a good deal of the working of the present system, considers it very prejudicial to commerce of a legitimate kind. He knows cases coming under his own eye, where parties of the highest rank in Liverpool are borrowing money at 10, 12½, and 15 per cent., on the security of railway shares; and he told me an instance or two, within fourteen days, of 40 per cent. per annum having been paid for a fortnight, to enable the borrower to purchase some of the smaller shares, on which a considerable advance was anticipated. The D. office has all its capital employed in this way, at above 10 per cent. per annum, and this money is naturally turned from the uses to which it would otherwise have been applied, namely, in supporting commercial operations in the form of a deposit with a banker. E., who strongly advocated the alteration, is now convinced that things would have worked better under the old system, and that the facility of raising money at high rates of interest leads men into wild and reckless speculations. F. is of the same opinion;" and so it goes on.

617. Those are not cases that fall within your own knowledge, but are stated by you merely upon the authority of your correspondent ?—Yes.

The witness is directed to withdraw.

Ordered, That this committee be adjourned to Thursday next, two o'clock

Die Jovis, 10° *Junii*, 184

The lord president in the chair.

George Warde Norman, esq., is called in and further examined, as follows:

618. Can you state to the committee what variations the bank has made in their rate of interest on discounts since the alteration of the law with respect to usury?—Not perhaps with perfect accuracy; but I have a memorandum which I think would probably give the committee sufficient information, at least for the last few years. On the 21st of July, 1836, the rate of discount was raised from four to four and a half per cent.; on the 1st of September, 1836, it was raised to five per cent.; on the 15th of February, 1838, it was reduced to four per cent.; on the 16th of May, 1839, it was raised to five per cent.; on the 20th of June it was raised to five and a half per cent.; on the 1st of August it was raised to six per cent.; and on the 1st of January, 1840, it was reduced to five per cent., at which it now remains.

619. Can you state also the different periods when alterations have been made at the bank with respect to the echeance of bills discounted?—Not with perfect accuracy, but I think with tolerable exactness; on the 20th of December, 1821, the limit for the discount of bills was increased from 65 to 95 days, and it continued so till October last year, when it was reduced to 65 days; last week it was again lengthened to 95 days.

620. It appears from your evidence that the bank are in the habit of checking their issues, both by shortening the date of the bills and by advancing the rate of discount; will you state whether they resort simultaneously to both those measures, or with which they in preference begin?—I think that a reference to my last answer will show that those two measures have never been adopted simultaneously, and that the variations respecting the echeance of bills have been rare; in case, as a protective measure on the part of the bank, it should be deemed expedient to adopt one or other of those measures, the circumstances of the time must decide which measure would be considered preferable.

621. Are both those measures used for the purpose stated, of checking the issues of the bank, or is the regulation of the echeance of the bills discounted for other purposes, and upon general principles?—I consider them both protective measures; measures calculated to render the issues of the bank less than they would be otherwise at the period when contraction is necessary, and having, generally speaking, the same result.

622. Do not you think that it is important for the circulation and commerce of the country that a great institution like the Bank of England should act with as much uniformity as possible, and that they should not be discounting one description of bills at one time which they refuse to discount at another; that, unless some considerable and important reason occurs for alteration, uniformity in the management of an institution like the bank is very desirable?—I think it undoubtedly desirable that as great uniformity should be maintained with respect to the measures and management of the bank as possible; but I consider it quite impossible for the bank, consistently with its duty to the country as manager of the circulation, to maintain absolute uniformity with respect to such measures as the echeance of bills or the rate of discount.

623. Are you aware that up to a late period that uniformity both as to the echeance of bills and as to the rate of discounts has always been preserved by the bank?—I believe that no change had taken place for many years, up to about 1822 or 1823, when the echeance was lengthened, but for how many years that uniformity had existed I am not able to say. I apprehend that had the usury laws existed during the war, and the bank at the same time had been legally bound to pay in gold, it would have been placed in extreme difficulty, because I believe that the market rate of interest was really for considerable periods together above five per cent., and that a strong tendency to over-issue, through the medium of discounts, consequently existed.

624. Can you state to the committee what variations have taken place in the amount of commercial discounts at the bank?—I cannot from memory, but I would refer your lordships to the appendix to the report of the committee of the Commons on banks of issue, which contains the most ample information on all such matters.

625. Can you state the circumstances which occasioned the changes in the echeance of the bills discounted?—I believe that the years 1822 and 1823 were a period of very low prices, and of what was considered commercial distress; the bank had overflowing means at its disposal; and it was on the whole considered desirable to lengthen the echeance of bills as a matter of convenience both to the public and the bank. Last year gold was leaving the country; the stock of treasure was extremely low, and some powerful contractive measure was deemed thoroughly expedient. The bank might have raised the rate of discount, as it had done in the previous year, but upon the whole it was thought best to try the effect of limiting the echeance instead, both of those measures producing nearly the same result; the alteration that took place last week, I presume, was made because it was considered that the lengthening the echeance might afford an accommodation to commerce, and that the bank could safely grant the additional facility.

626. Then in fact those alterations in the echeance have been merely made with a view of either contracting or expanding the issues of the bank?—With a view mainly either to the protection of the bank or to give facilities generally to commerce; because I should not say that at the present time the bank would consider any marked increase of its issues expedient.

627. Are not the means of private bankers discounting, or of banks in the country discounting for their customers, very much affected and altered by the alterations which take place in the Bank of England; when there is a scarcity or an abundance in the Bank of England, does not it react upon the different private institutions lending money?—I think there are other witnesses who have beene xamined before this committee, and who could give a better answer to that question than I can do; my answer must in some degree be a general one; I have had little practical knowledge on the subject, but I should say that bankers in the country, either as borrowers or lenders, operate on the money market of London. The measures of the bank have also a leading influence, temporarily at least, upon the money market; and therefore in that way the measures of the bank doubtless affect the operations of the country bankers.

628. So that when those alterations are made by the Bank of England, it affects all the parties engaged in the business of money-lending throughout the country?—The measures of the bank must have that tendency, more or less; under certain circumstances I can conceive that they would have very little or no influence, and that under other circumstances, and temporarily, they would have a very powerful influence; speaking generally, I am of opinion that the rate of interest depends on natural causes, and that the measures of the bank, taking long periods together, have no effect whatever upon it.

629. When you make an alteration in London, either with respect to the amount of interest or the echeance of bills, is the same alteration made at your branches in the country?—Yes, universally; except with respect to those private bankers who have what are called circulation accounts.

630. When the bank think that contraction has become necessary for their safety, to what securities have they first recourse?—When contraction becomes necessary, the bank usually sell their securities, taking those which are most salable first—usually exchequer bills.

631. Do they sell their public securities before they begin to reduce their accommodation to the merchants?—I think in all cases they have done so.

632. Generally when the bank may be said to be in an average state, do they discount all the good paper that is presented, or are they obliged to reject much

of it?—The bank usually discounts nearly all the good paper that is sent to them; for many years the discounts of the bank on an average, and in ordinary times, have not been considerable, the bank rate of discount having been almost always above the market rate.

633. Has that been systematically done?—It has been thought inexpedient on the part of the bank to enter upon a career of competition with private money dealers; the circumstance of the bank being the great issuing body, and having cast upon it certain special duties, has led to this result.

634. Has the bank rate of interest been above the market rate of interest at the periods when they have advanced their rate of discount?—I think not.

635. When you talk of the "market rate of interest," are you speaking merely of the market rate of interest for the discount of commercial bills?—The phrase "market rate of interest" is of course very vague, because at any one period the rate of interest will vary according to the different nature of the security offered; when I speak of the market rate of interest with reference to the bank, I look to the rate at which bills, such as those discounted by the bank, could be discounted in the market, and the rate of interest on analogous securities.

636. As the rate of interest on mortgages has been for many years not above four per cent.; as the three per cents have been about 90, and as exchequer bills have been paying at the rate of from two and three-quarters to three and a half per cent., can it be said that the market rate of interest has been at any time above five per cent., otherwise than for the discount of commercial paper?—Doubtless on those several securities the market rate of interest for many years has not been above five per cent.; I think that my previous answer sufficiently explains that; I do not, in speaking of the market rate of interest, refer to securities of that kind, and I would beg leave to observe that the rate of interest in what is technically called the money market has for short periods hardly any connexion with the rate of interest on mortgages, and comparatively little to do with the rate of interest obtained for money in the funds. In these several instances almost distinct classes of borrowers and lenders are brought into play.

637. Therefore the market rate of interest described by you is confined to discountable commercial paper?—Not simply to discountable commercial paper, but to the money employed in various ways by a class of persons who may be called money dealers, such as bankers, merchants, to a certain degree, bill-brokers, stock-brokers, and so on; there is the rate of interest for short periods, which is given upon the deposit of stock; I should say that the lending and borrowing on stock was an operation belonging to the money market, as I understand it.

638. To use a general expression, then, it is confined to the general mercantile accommodation?—It comprehends mercantile and banking accommodation, taken in a wide sense.

639. If the Bank of England could, with safety, discount all the commercial paper of fair credit that is presented to it, within the old rate of interest, at five per cent., would not that obviate the necessity of these higher rates of interest which the law has lately empowered people to charge?—If such were the case the bank would never have a proper motive for raising its rate above five per cent.; but I do not think the assumption allowable.

640. Do you not consider that the Bank of England might, by proper regulation, be enabled, either by some alteration of its assets or by holding a larger disposable capital, so to discount all the good commercial paper as to prevent great fluctuations in the value of the interest of money?—I do not think it possible, by any improved system of management on the part of the bank, or by any alteration in its constitution or in its mode of operation, to effect the object which the question assumes. It seems to me that you can no more fix the rate of interest than you can fix the price of commodities; that both the rate of interest and the price of commodities depend upon natural causes; that you may produce disturbance in them by attempting to regulate them through the me-

dium of the law, but that all attempts at interference, speaking generally, fail in their object and do mischief.

641. Are you not aware that for many years the Bank of England did, in fact, afford at five per cent. the whole amount of commercial discounts required upon proper paper?—I am quite aware that the bank continued to discount for very many years at five per cent., but I am not able to say whether the bank then discounted all the good paper offered; what happened during the restriction acts cannot afford a safe example for our guidance now.

642. Where the Bank of England have exceeded five per cent. interest since the alteration of the laws, are you aware that that has given rise, out of doors, not to a fluctuation merely of half or one per cent. in the interest, but to an increase of the interest to 10 or 15 per cent., and in cases of needy persons to a much higher rate of interest?—I have no particular knowledge on these points.

643. Do you not consider that a steady and moderate rate of interest, or, in other words, price paid for capital, is of great importance in a commercial country like this?—I think I have stated in a former answer that, in my opinion, it is highly desirable that the rate of interest should be as steady as possible, and that an abstinence from legal interference would afford the best means of attaining that result

644. Are you aware that in France, Holland, Germany, and most parts of the continent, the interest has been kept steady, and much below the interest of money in this country?—I have no particular knowledge of the rate of interest on the continent; I am aware that the Bank of France has discounted at the same rate for a considerable number of years, though it has varied the echeance of bills discounted; I believe that at Hamburg, where there are probably very few disturbing causes, the variations in the rate of interest are immense.

645. Have they not generally been lower than in this country?—I cannot say; I am not in business, and have no particular information upon that subject.

646. Can you state to the committee how, in your opinion, it comes to pass that the Bank of France has been able to keep a low steady rate of interest in France, and for the benefit of French trade and French manufactures, and that the Bank of England should have found such difficulties?—I consider the differences in matters of that kind between England and France to be enormous; France is not a country of great speculation; its currency may be considered practically as metallic; it carries on a comparatively trifling foreign trade, and is therefore acted upon very little by disturbing influences arising from other countries. England is a country with a mixed currency, and numerous conflicting issuers of money, as I humbly submit, very ill regulated; it has an enormous commerce, and the habit of speculation, and is acted upon by disturbing influences arising in all parts of the world; therefore a line of conduct may be maintained by the Bank of France which I think cannot be maintained by the Bank of England.

647. Do you happen to know what is the capital of the Bank of France?—It is very small; I believe about 70 millions of francs.

648. Do you know how much of that is at their disposal to operate with?—I do not know, but believe only a small portion of the capital; the Bank of France has been placed in very favorable circumstances for some years, owing to the enormous government deposits it has held; I consider it to be an institution wisely and prudently managed.

649. With reference to the large amount of interest which persons sometimes pay under the present system, will you state whether, in your opinion, the difficulties to which such persons were necessarily subjected under the former system were or were not far more expensive to them than the increase of interest which they are liable to pay under the present?—My opinion is that many persons who feel it a great grievance to have been obliged to pay six or seven, or eight per cent. for the discount of bills, or for accommodation in other ways,

had not the law permitted them openly to give those rates, would probably have been obliged to make much greater sacrifices, either by forced sales of goods or by obtaining accommodation through the means of evasions of the law, in which case something additional must have been paid in order to compensate the lender for the risk he ran. In illustration of this answer, I would observe that an increase of the rate of interest, say of two per cent., only amounts to half per cent. for three months. Now a loss of half per cent. would be considered perfectly trifling in the case of a sale of goods, hardly worth consideration, though doubtless there are many persons who consider the half per cent. they may have paid in additional interest a very serious sacrifice.

650. Do not the fluctuations in the sale of goods of every description in the ordinary course of commerce very frequently amount to twenty or thirty per cent.?—The prices of goods, doubtless, vary greatly, and seldom remain at the same point for any considerable period together.

651. So that the facility is almost inestimable to any trader of being able to reserve the sale of his goods till that period which he would himself deem the most advantageous?—It seems to me highly desirable for traders that the law should impose no limit upon the rate which they may be willing to pay for loans of money, consulting only their own convenience.

652. But if the bank were to put itself in a situation of discounting all the fair paper offered to it at five per cent., then there would be no cause for any of those fluctuations?—I conceive it quite impossible that the bank should put itself in such a position; supposing that the rate of interest, from natural causes, say from loans on the part of government, should rise to above five per cent., of course profit would be obtained upon every sum loaned by the bank at five per cent. Under that state of things the currency would be kept perpetually above its proper amount; a drain of treasure would take place, and the bank would be compelled either to stop payment, or to resort to a rejection of the paper sent in *en masse*, or to adopt some irregular restrictive means.

653. Though that state of things might exist in time of war, when the government were making large loans, is there any reason why it should exist in time of peace, when no such demands are made by the government?—I think circumstances may occur, as I believe they did occur recently, when the bank could not safely confine its rate of discount to five per cent.

654. Inasmuch as five per cent. being much lower than the market rate, they would have been called upon still more widely to extend their discounts?—Yes; speaking generally, I believe that circumstances may occur, even in time of peace, when, if the discount office were opened at the rate of five per cent., and the bank took all the paper offered to it coming within its rules, the result would be, that the issues of the bank would be unduly extended, and the public suffer in consequence.

655. Do you suppose that would be the case if you had more commandable capital; if part of your capital was not locked up in annuities, and part in loans upon mortgage of land; but if a larger portion of your capital were devoted to discounting the commercial paper of the country, would there not, unless in very extraordinary times, be sufficient to meet all the good discountable paper?—I do not think that any variation in the amount of its capital, or its mode of employing it, would enable the bank at all times to discount at the same rate, or to refrain from raising the rate beyond a given amount, say five per cent.

656. Would it be possible to fix any other limit beyond five per cent. that would comprise all the fluctuations in the market?—I think not; I think that any limitation would either be useless or pernicious; you might fix 10 per cent., but I have not the least idea that the bank would ever have occasion to raise its rate of discount to 10 per cent; therefore such a limitation would be absolutely useless so far as the bank is concerned.

657. Do not you think that the circumstance of establishing a maximum rate

might lead probably to that maximum being adopted as the ordinary rate?—It seems to me that the interest of money, like the price of goods, lies beyond the sphere of legislation; I do not think it possible to fix the rate of interest any more than you can fix the price of goods.

658. Is it not the fact that it had been kept within the sphere of legislation before the alteration of the law?—It has so happened that five per cent., which was the legal rate, has been usually beyond the market rate upon anything like good security for many years; therefore, ordinarily speaking, the law was a mere nullity; but, supposing the law had fixed a rate of interest below the market rate, so that the law had become really operative, I am sure the evil and confusion would have been so enormous that it never could have been maintained for six months; it would have been, in fact, universally disregarded, as was the case to a very great extent during the war, when bankers and merchants resorted to all sorts of expedients to evade the law; now and then an unlucky person was laid hold of by the courts of justice, but often juries would not find verdicts.

659. Do you suppose that the risk thus incurred of being laid hold of by the law had the effect of causing a still greater rate of interest to be paid than the market value of interest at the moment?—I have no doubt that wherever the mutual interest of the borrower and lender makes them agree that a rate of interest shall be paid for accommodation higher than that which the law allows, so that a certain risk is incurred by the lender, the lender is compensated by receiving a still higher rate than he would have been contented with had the law not interposed.

660. Did not that state of things also lead to a great deal of money being borrowed by means so clandestine that it would be impossible to estimate the amount of money borrowed beyond the legal rate of interest?—Certainly, if I understand the question.

661. When you speak of those evasive transactions by which a higher rate of interest was incurred than the law allowed, did they amount to any considerable proportion upon the general mass of business, or were not nine-tenths, or 99 out of 100, of the transactions of commerce, conducted under the limitation of five per cent. interest?—I have a very imperfect recollection of what took place during the war, but I believe that a very large mass of transactions, in the provinces especially, took place, in which a rate of interest really higher than five per cent. was paid.

662. Supposing a restriction to the amount of 10 per cent. was put upon the receipt of interest, which would clearly cover all the fluctuations that have taken place within the last 10 years, would not that have a tendency to check dealings in money where much heavier rates of interest are asked?—Of course such a law would be nugatory as to all transactions where in the natural state of things a higher rate than 10 per cent. would not be demanded, and I think it would be prejudicial to the borrower in transactions where, from their peculiar circumstances, more than 10 per cent. might fairly be demanded and given.

663. Would it not have the effect of driving many persons to raise money by annuities, who now raise money under the present system at 10 or 12 per cent.? I can easily conceive circumstances under which it would be worth a man's while to borrow money at 12 or 15 per cent., and where, from the peculiar nature of the security, he might have it in his power to offer something above, 10 per cent. would be the fair rate. Then if the law says that he shall only give 10 per cent., he must either go without the accommodation, or he must resort to illegal means to obtain it, and pay an extra charge to protect the lender.

664. Supposing he was obliged to go without the accommodation, the result of that would be that he would become bankrupt, or he would be obliged to sell his goods to a disadvantage?—One can hardly tell what the alternative

might be; I assume that it would be to his interest to pay more than 10 per cent., say 12 per cent., and then the result of the law preventing him from obtaining this accommodation at 12 per cent. would be, that he would incur in some other way a greater loss.

665. Would not those be better circumstances than he would be placed in, by continuing to borrow money at a rate so much above the market rate of interest?—I do not see how I can answer that question, because in order to give an opinion upon it one must have a complete set of facts; I cannot answer the question generally.

666. In a previous part of your examination you were referred to the usage of the Bank of England in former times, when no good paper was refused at the rate of five per cent.; do you conceive it possible for the Bank of England to adhere to the principle of refusing no good paper, meaning by "good paper" paper representing *bona fide* mercantile transactions?—I do not consider it possible that the Bank of England by any system of management could discount, without interfering with its other duties, all the paper that might be offered to it. I consider it eminently desirable, that when the Bank of England finds it expedient either to increase or diminish the quantity of commercial bills it may hold, it should act upon some general principle, as that of either raising or lowering the rate of discount, or of shortening or lengthening the echeance of bills discounted. If such means of acting generally were taken from it, it would be compelled to adopt more irregular means, such for instance as saying, "We will furnish to-day only a certain amount of discounts whatever may be the demand, making the best selection we can amongst the bills sent in, and rejecting the rest." I am perfectly convinced that some means of limitation the bank must have, and that a general measure is by far the best.

667. Do you think it would be right on the part of the Bank of England, when the value of money in the market generally was subject to considerable fluctuations, to adhere in their own transactions to one invariable rate of discount? I think that an attempt to adhere invariably to the same rate of discount on the part of the Bank of England would violate every rule of good management.

668. Was not that attempt constantly made, and constantly carried into effect, until the alteration made by Parliament in the usury laws?—Of course the bank could not charge more than five per cent. before the law was altered, and for many years it charged only four. But I conceive that the effect of the law as it formerly stood upon the operations of the bank during the war was highly pernicious; that especially during the latter part of it, the bank considerably over-issued, and that those over-issues took place mainly through the discount office. There was a time during the war when the bank had £20,000,000 under discount at once.

669. But, at the same time, is it not true that under all the difficulties of the long war, and all the difficulties which the circulation had to encounter, the trade of the country was never exposed to the high rates of commercial discount to which it has been exposed since the alteration of the law?—During the war doubtless those mercantile men in London who had paper coming within the bank rules, that is to say, which had two good securities on it, and not more than 65 days to run, might obtain accommodation at five per cent. through the medium of the discount office of the bank. But I conceive that, during the period in question, those who did not possess securities falling within the rules of the discount office of the bank must often have paid very highly in one way or another for loans of money; in fact far beyond five per cent.

670. Do you conceive that the practice pending the bank restriction can afford any safe analogy by which to judge of the principles upon which the bank can proceed when it is bound to pay the bullion on demand?—No, I think not, without great allowances.

671. In the appendix to the report of the committee of the House of Commons

there is a paper delivered in by the bank, which show at one period, on the 28th of May, 1833, the discount of bills as low as £960,000, and at another period, on the 25th of April, 1837, as high as £10,800,000; do not you consider that fluctuations to that extent in the amount of bank capital, applied to the discount of commercial paper, must of themselves produce great revolutions in the amount of capital usable for commercial purposes?—I do not see that they will produce that effect.

672. Are not the fluctuations in the history of money mainly derived from the changes which take place in the conduct of the Bank of England?—I think not. Under particular circumstances, the Bank of England for short periods may influence the rate of interest, but for long periods I consider that the Bank of England has no influence whatever.

673. If, for instance, the Bank of England should have £10,000,000 or £11,000,000 out in commercial discounts, and should, from motives of prudence, or from any other cause, find it necessary rapidly to draw it in, does not that immediately produce a scarcity of money in the market?—Such a state of things never has occurred, and I think hardly could occur; therefore I am hardly able to say what might happen under such circumstances.

674. Without imputing any such intention to the bank, supposing the bank to produce a scarcity by lessening its accommodation to the public, or lessening its accommodation to the government, has it not an interest in raising the interest of money, and has it not the power to raise that interest of money for the purpose of employing its capital?—Speaking generally, of course the profits of the bank are increased by a high rate of interest; and for a short period I think that the bank might have it in its power to keep the rate of interest higher than it otherwise would be; but I do not think the bank could influence the rate of interest for any considerable period.

675. In the event supposed by the last question, could it act in any other way than by lessening the number of its transactions; and if it lessened the number of its transactions would it not in so far sustain a loss which would have to be set against the increased profit derived from the increased rate of interest?—Doubtless, so far as the transactions were diminished.

676. Referring to the figures that are contained in the House of Commons report, ought not the committee to take other elements into account besides the amount of discounts of the Bank of England, in order to ascertain the amount of commercial accommodation given in the shape of discounts to the commercial world?—I would say, generally, that the amount of bills discounted by the Bank of England bears a very insignificant proportion to the amount of bills discounted generally by bankers, bill-brokers and others; and the variations in the amount discounted by the bank do not at all imply that a greater number of persons receive accommodation on the one hand, or a less number on the other, but mainly indicate the difference between the rate of discount charged by the bank and the market rate of interest out of doors.

677. Supposing the Bank of England to be discounting above the market rate, and that the amount of their discount be assumed at £3,000,000, taking an imaginary sum, and that the private discounts may be taken at £6,000,000, making a total of £9,000,000, is it not possible that under another state of things, the Bank of England, discounting below the market rate, and not above it, might reverse those figures, showing a discount of £6,000,000 on the part of the Bank of England, and £3,000,000 on the part of the private bankers, but showing, on both sides of the equation, the sum of £9,000,000 applied to commercial discounts?—Taking the figures as merely stated for the purpose of illustration, I think so.

678. You are aware that the circumstance of the Bank of England occasionally throwing their exchequer bills into the market produces frequently great distress

to the treasury?—I am not sufficiently acquainted with the facts to answer that question satisfactorily.

The witness is directed to withdraw.

Mr. George John Graham is called in and examined, as follows:

679. You are an official assignee connected with the court of bankruptcy?—I am.

680. Can you, from your experience in that capacity, state to the committee what has been the effect of the relaxation of the usury laws for some years past, either in hastening or retarding acts of bankruptcy, and as affecting the interests of bankrupts in general?—I can give no evidence as to any effect that it has had in hastening or retarding acts of bankruptcy; I think that the effect of the alteration has been to raise the rate of interest of money to those parties who afterwards become bankrupts.

681. That is to say, to the most needy persons?—To the most needy persons; it is very common now for bankrupts to come before me, and say that they have paid six, seven, eight, nine, ten, or twelve per cent. for money, and some of them have even paid as much as 40; one, I believe, had paid 60 per cent.

682. Do you not conceive that to have been in exact proportion to the degree of credit that they may have enjoyed?—Yes, I should suppose it was.

683. Do you not believe that many persons may have been prevented from becoming bankrupts by deriving assistance from that source, and who have been able subsequently to meet the demands upon them?—I should think they might; but I cannot give any evidence on that point but my opinion; I know no cases.

684. You mean that those cases do not regularly come before you, in consequence of those persons not becoming bankrupts at all?—Yes.

685. But of those that have become bankrupts, and have fallen under your observation, you say that a great many have alleged that they have paid a very high rate of interest; but did they allege also that their having been obliged to pay a high rate of interest has been in any degree the cause of their bankruptcy?—No, in no case.

686. You were understood to state that they have paid a much greater rate of interest under the present law than they did before the relaxation took place; that is the fact, is it?—That is the fact; the rate of interest, of course, could not be more than five per cent. before; now they pay much more as interest; but I should imagine that the various contrivances for evading the law would have cost them much more before the relaxation; but I cannot give any specific evidence upon this question.

687. So that in an indirect way they would, under the former state of the law, have paid considerably more for the purpose of protracting the period of their bankruptcy than the difference between the legal rate of interest and the rate of interest at which they have now raised money?—I should imagine that they would.

688. But you do not know it, in point of fact?—No.

689. But you do not think a person that has paid 40 per cent. under the new law could have got money at five per cent. under the old law?—Certainly not.

690. Has the effect of that relaxation been to waste the property of the bankrupts more than it was customary that it should be wasted under the old law?—I cannot give any evidence of that fact, but in my opinion it has not, at least not in a perceptible degree.

691. Before the change of the law took place were you in the situation of official assignee of bankrupts?—Yes.

692. For how many years before that?—I forget when the alteration in the law took place, but I have been in the situation of official assignee ever since 1832.

693. The alteration took place in the year 1833, so that you were official assignee only one year before the alteration?—I was, only one year.

694. Do you think that the estates of bankrupts coming under your superin-

tendence and management are more exhausted in consequence of the high rate of interest which they now pay than they were under the former system?—They had many contrivances for getting money before the law was altered, but those contrivances were of a cumbrous nature; and now they can get money upon bills by means which are not so cumbrous; so that I should say that very likely they are somewhat more exhausted now than they were before.

695. Then, in point of fact, the bankrupt goes on longer before he calls his creditors together, and consequently when he does call them together his estate is more exhausted?—I should say so, in a slight degree, but it is very difficult to test it; I speak from general impression.

696. But the difference is not sufficiently considerable for you to say that it has had a decided influence upon the estates of bankrupts?—Certainly not.

697. Have you perceived from any other causes any variations in the amount of the property of bankrupts of late years, as compared with former periods?—No, I have not.

698. You think it has been upon the whole the same general average?—I think it has been about the same general average.

699. Have you been the assignee in the case of Hamlet's bankruptcy?—I have not.

700. You now pass in the bankrupt's account any amount of interest?—Any amount of interest.

701. Upon whatever species of security it is?—No; because, if a man, in addition to the security of a bill, takes for instance a policy of insurance, that takes the case out of the protection of the law.

702. In the case of a mere book debt, and an agreement that a given amount of interest shall be chargeable in the account, do you admit that?—If the agreement is in writing, or if the agreement can be established.

703. Are there cases of that description?—There are.

704. Agreements that certain accounts shall be subject to a given amount of interest?—Yes; for instance, I remember I had a coach-lace maker, who had got agreements with certain parties that he was to allow them three years' credit, and then was to take bills for the amount.

705. Have any cases come under your observation in which persons undertaking any adventure have been furnished with capital for the adventure by capitalists at a high rate of interest, with a view to participating in the adventure without coming under the partnership laws?—No; I think I have not had a case of that kind.

706. Taking into consideration the whole of your experience in this matter, should you say that the alteration in the law had been beneficial or otherwise to the class of traders that come under your observation?—Taking this class to include those who become bankrupts and those who do not, I should say that it had been very beneficial; and that it would be still more beneficial if the usury laws were absolutely abolished.

707. Do the gentlemen who act in the same duty of official assignees ever communicate together as a body?—Sometimes, but very rarely.

708. Can you state to the committee what the general opinion of those gentlemen is upon this subject?—I cannot.

709. You cannot state whether they think favorably or otherwise of the present law?—I cannot. The subject has never been brought before us as a body.

710. When you say you think that it would be of advantage if the usury laws were entirely done away with, do you mean upon all kinds of security, landed as well as other?—Yes.

711. You cannot state to the committee that you have ever observed any ill effect from the relaxation of the usury laws?—No, I cannot. The relaxation of the usury laws has enabled persons to bring the matter clearly before the

court of bankruptcy; that so much was the net sum received, and that 40 per cent., for example, was the interest charged; and it has appeared a great hardship that persons should pay 40 or 30, or even 12 or 10 per cent.; but I should think that they would have had to pay much more before the laws were relaxed.

712. That is to say, you have no doubt that a person who is now paying 40 per cent. under the present law would have had to pay an equal, or perhaps a greater, rate of interest under the old law?—Yes; under other names.

713. And as you said before that persons under the old law had to raise money by cumbrous means, probably those means would be more expensive than the direct means which they can now resort to?—Yes; but I think that being more cumbrous, they would not be used quite so often.

714. You think that, in preference to using those means, a person wanting money would be more likely to part with his goods?—Yes.

715. Which might be to him a greater loss than raising money at a high rate of interest?—I was including among the cumbrous means the parting with his goods.

716. But supposing a man in trade not to be able to obtain money at five per cent. interest; what other means or resource can he have than that of parting with his goods, if he does not have recourse to some circuitous and evasive mode of raising money?—None other, I should think.

717. And that means may be more expensive to him than the rate of interest at which he now gets money?—Much more.

718. Might not a person, under such circumstances, have recourse to the means of raising money by annuities coupled with insurances?—Yes.

719. Would not that have been a more expensive as well as a more cumbrous means of obtaining money in many cases than to obtain it upon discounts of bills, although a large sum, say 10 per cent., may be charged for interest?—Yes; I should think it would.

720. Had you formerly as many cases of estates wasted by raising money upon annuities and insurances as you have now by raising money at great interest under the relaxation of the law?—I should say that the evil effects of obtaining money at a high rate of interest are perceived in more cases, but are not to such a great extent in each of those in which they are perceived.

721. Does not that necessarily result from the fact that the high rate of interest now is a legal transaction, which is visible, and upon which legal proceedings could be taken; whereas the usurious proceedings previously, being illegal transactions, were concealed from the public?—Yes, I think it does.

722. When you spoke of the cumbrous means to which persons formerly resorted, did you mean to include illegal transactions?—I meant to include all those transactions by which persons endeavored, and perhaps successfully, to give a legal coloring to the taking illegal interest by any circuitous route.

723. But which they did not probably themselves consider illegal?—Which in many cases were not illegal.

724. When any bankrupt cases have been brought before the bankrupt court, has the court made any observations either in reprobation or approval of the transactions of borrowing money at a high rate of interest?—Sir Charles Frederick Williams, who is the commissioner of the court to which I am attached, has often lamented, when such instances have appeared before him, the ruinous rate of interest that persons have been paying; but he has also said, that it was quite clear that the reason for the high rate of interest was the man's distressed state, and that it was equally clear that the parties who lent him the money at a high rate of interest had not made a good calculation, as was apparent from their not being paid.

725. Is it not a low class of persons that prey upon the necessities of persons of that description?—Yes, I should say it is a disreputable class of persons.

726. But you conceive that the transactions of that class of persons are not generally injurious to the interest of the parties?—I should say that it was a disreputable class of men that lend money at 40 or 30 per cent.; but I do not think it is always a disreputable class of men who lend money at 8 or 10 per cent., and under, for short periods.

727. Where should you fix the boundary between the reputable and disreputable?—I do not know.

728. You consider that there are persons of character who will, up to 10 or 12 per cent., lend money at interest, but that it is a disreputable class of persons that go up to 20 or 30?—Yes; that go up to 40 certainly.

729. But to whatever class of persons the individual lender might belong, would it not be for the interest of the party to pay 15 or even 20 per cent. to that lender, rather than sell his stock at a depreciation of 40 per cent.?—Yes, undoubtedly.

730. Would the borrower wanting accommodation apply to the disreputable class if he could get money from the more reputable?—Certainly not.

731. In most cases where he would have recourse to that very high rate of interest, would he not be doing a more honest thing to call his creditors together, and distribute his assets among them?—A much more honest thing, in many cases.

732. Generally speaking, are not persons borrowing at those high rates in a situation in which they should not, in point of fact, be going on at all?—The cases that come before me are the cases of men that fail; and those men have gone on borrowing money when it would have been much more honest, and much better, if they had come before their creditors and given up what they had; but I think that many persons in the city of London borrow money occasionally at seven, eight or nine per cent. for short periods, and it answers very well in their cases; it may be prudent to pay any percentage in order to prevent a greater loss.

733. Have you any doubt that in so borrowing money for a short time at a high rate of interest, they have best served the interests of their creditors, if they have ultimately been able to continue their trade subsequently?—Most certainly they have.

734. Do you happen to know any instances of persons being enabled to continue their trade in consequence of the accommodation they have got from that class of lenders that you call "disreputable," when they were driven to the necessity of resorting to that class of lenders?—They have been enabled to carry on their trade for some little time.

735. Not to recover themselves?—Not to recover themselves; the cases that come before me are cases in which men have not recovered; I cannot know anything of the cases in which men have recovered.

736. Have you any means of speaking from experience of what occurred in the court of bankruptcy with respect to the assets of bankrupts prior to your appointment to the situation of official assignee?—Yes, from about 200 cases that I have examined of commissions issued from 1782 downwards, which were not closed at the time of my appointment, and were referred to me.

737. What is the average number of cases that come before you in the course of a year?—I think about 30; I think last year it was 35 that came before me individually.

738. Can you state from your observation generally for what length of period those bankrupts have paid those high rates of interest in the cases that have come before you?—Those who have paid 40 per cent. interest, or rather have promised to pay 40 per cent., have not paid it for long, if at all. I remember one case in which three men had been connected together, and had been raising money at 40 per cent.; one of them was afterwards a bankrupt, that is with me, for all three were bankrupts; they jointly raised about £25,000 or £30,000 at

40 per cent.; in this case I think they had paid 40 per cent. for eight or nine months.

739. Upon what sort of security was that £25,000 or £30,000 raised?—Part of it was raised upon their bills.

740. The greater part?—The greater part.

741. Which they drew upon each other?—Yes.

742. How long had they continued to pay this rate of interest?—Not more than eight or nine months, certainly.

743. Had you the means of ascertaining whether those bills were drawn as representing real transactions, or whether they were mere bills drawn for the purpose of raising money as accommodation paper?—They were mere bills drawn for the purpose of raising money,

744. Can you state whether those cases of exorbitant interest to which you have alluded occur in a considerable number of the cases that come before you as official assignee, or whether they are rare exceptions?—They are somewhat rare exceptions.

745. You say that those men raised £25,000 or £30,000 in the whole, and that the greater proportion of it was on their own bills; what other securities had they to raise money upon?—One of them had a reversion, and he raised some part of his money upon the security of his reversion.

746. Did he equally pay 40 per cent. for that?—I have not the information here, but speaking from memory I should say that he did not.

747. Do you know the nature of that reversion?—The reversion was an estate for life after the death of his father and mother.

748. That was not an illegal transaction?—He did not here pay 40 per cent.

749. Did he pay more than five?—No, not more.

750. Then how is it a case in point?—I was asked what other securities this person had to raise money upon, and I answered that he had this reversion.

751. Do you happen to know whether the lender in that particular instance suffered any loss?—Yes, great loss; I do not suppose I shall ever pay a dividend.

752. Then that estate, upon which there will be no dividend, had been exhausted by previous payments of large interest?—Yes, it had in part, but the bankrupt's means were never large; he had paid all that he could pay as interest on his bills.

753. Is there any alteration of the law which you could suggest, by which what you call "discreditable practices" under it could be repressed, still leaving a free action to dealings in money?—No, I cannot suggest any restriction that would effect that object.

754. Do you not think it possible that there may be connivance between parties to trump up claims upon an estate by contracts for high interest of money?—Undoubtedly; I doubt not that it is very often done.

755. And claims of that description where the contract could be proved would be admitted?—Yes.

756. What would be the effect, in your opinion, of leaving the law as it now stands; leaving the interest of money perfectly free, but not permitting persons to prove for any interest beyond five per cent., so as to leave it a legal transaction where interest had been paid, but not to allow persons to claim upon any estate or to bring any claim in a court of law for more than five per cent.?—I have never considered it, but it appears to me that that would effect the object, at least in part. I do not immediately see that it would produce any preponderating evil, but I have never considered it before.

757. Do you conceive that lenders in general would be equally disposed to lend under that state of the law?—No, certainly they would not.

758. Then in fact it would narrow the amount of accommodation to that extent?—It would.

759. Are not the persons who obtain accommodation at a high rate of interest exactly the class of persons who would find it most difficult to advance that high interest in the first instance?—Yes. Referring to a remark which fell from one of your lordships, respecting the invariableness of interest being paid at the time the loan is received, I would observe that it would be best to take the money with one hand and pay the interest with the other.

760. The interest would be deducted in that case from the amount received by the borrower?—It would.

761. Would it not have the effect, in your opinion, of obliging the borrower to take a larger sum at the time, in order to enable him to pay the interest in advance?—No doubt it would.

The witness is directed to withdraw.

Ordered, That this committee be adjourned to Thursday next, 3 o'clock.

General index to the principal matters contained in the preceding minutes of evidence.

The figures following the names of witnesses refer to the number of the question in the evidence. The words evidence, page, indicate that the evidence is there referred to.

General heads.	Name of witness and number of question.
A.	
(See Bills.—Discount.)	
America, bills drawn on, are dated at from sixty to ninety days	Gurney, 269, 270.
causes of failures in	Gurney, 301, 302.
Annuities, high interest may induce many to buy	Norman, 663 to 665. Graham, 718, 719.
Annuity acts, their operation before relaxation of the usury laws	Maynard, 470 to 475.
B.	
Bank of England, rate of discount by	Norman, 653 to 658.
as to extending capital of, for discounting	Norman, 655.
over-issues of, is owing to over-discounting	Norman, 668.
as to its discounting all paper offered	Norman, 666, 667.
its influence on the fluctuations of interest on money	Norman, 672 to 678.
directors of, their resolution on the modification of the usury laws	Norman, 29.
during the last war discounted to the amount of from £16,000,000 to £19,000,000	Gurney, 284. Norman, 668, 669; 671; 677.
promissory notes are exempt from the usury laws by 4 Will. 4, and reasons for	Norman, 1 to 6; 29.
expands or contracts its circulation according to its power of payment in specie	Gurney, 345 to 348.
how it contracts its circulation	Norman, 630, 631.
circulation of, in 1839, state of	Norman, 27.
their measures affect operations of country bankers and others engaged in money lending	Norman, 627 to 629.
rate of discount by, in 1839, was six per cent	Loyd, 87.
mode of discount by	Norman, 632 to 634; 639.
if it discount all paper, would be liable to stop payment	Norman, 652 to 654.
operations of, regulate the rate of interest	Freshfield, 504 to 507.
periods at which it has altered the rate of discount since the alteration of usury laws	Norman, 618 to 620.
as to its acting uniformly in discounting and echeance of bills	Norman, 621 to 626.
for amount of commercial discounts by, (*See* Appendix to Commissioners' Report on Banks of Issue).	Norman, 624; 671; 677.
(See France.)	
Bank of France, low steady interest paid by, and reasons for	Norman, 646 to 648.

(*See Country Banks.*)

Bankers prefer discounting short bills to those of long dates ... Lubbock, 160, 161.
at the West End, their method of employing money ... Gurney, 332 to 335.
get more profit by a high than a low rate of interest ... Gurney, 349, 350.
only discount for their own customers and bill-brokers ... Lubbock, 168; 173 to 175; 177; 189.
Bankrupts, interest paid by, on bills, since alteration of usury laws ... Graham, 681 to 693.
interest paid by, and security given for money borrowed ... Graham, 738 to 752.
estates are more likely to be exhausted under new than old usury laws ... Graham, 694 to 700.
giving a policy of insurance in addition to a bill takes the case out of the protection of the law ... Graham, 701.
Bankruptcy court complain of undue facility as to unreal transactions ... Glyn, 135 to 139.

(*See Debts.*)

what debts are admitted in ... Graham, 701 to 705; 755.
Bankruptcy court, interest above five per cent. should not be allowed under usury law extension in ... Graham, 756 to 759.
average number of cases that go before one assignee in a year ... Graham, 737.
Banks, country, discount bills ... Loyd, 89, 90.

(*See Commission—Insurance Companies—Interest.*)

Bill Brokers, practice of ... Glyn, 126 to 131. Lubbock, 168. Maynard, 391 to 393. Cook, 586 to 589.
charge commission ... Lubbock, 168.
are intermediate agents between bankers and borrowers ... Lubbock, 178.
get little profit by a high rate of interest ... Gurney, 349 to 351.

(*See Echeance.*)

Bills, echeance for which they are generally drawn ... Norman, 40 to 45.
echeance of, effects of shortening ... Norman, 32 to 50. Glyn, 118.
interest on, reduced in 1840 from six to five per cent ... Norman, 48 to 50.
interest on, as to raising of, between 1839 and 1840 ... Lubbock, 194.
of long date, not so easy to get discounted as short, in times of pressure ... Norman, 34, 35.
renewal of, is not considered creditable ... Norman, 47.
long and short, periods of ... Norman, 52, 53. Loyd, 61 to 65.
as to discounting of ... Glyn, 117, 118.
which of most benefit to traders ... Lubbock, 179 to 187.
periods of ... Gurney, 259.
short, are preferred by bankers to those of long dates for discounting ... Lubbock, 160, 161.
interest paid on, of long date ... Lubbock, 189, 190.
insurance companies lend money on ... Glyn, 140, to 142.

General heads.	Name of witness and number of question.
Bills, date of, on inland trade, is generally three or four months	Gurney, 265; 268.
date of, on America, is from sixty to ninety days	Gurney, 269; 270.
from Liverpool and Manchester, in 1839, were discounted at above six per cent	Loyd, 88.
interest and commission, how charged on, before and since alteration of usury laws	Maynard, 380 to 390.
drawn by the wine trade are of long date	Lubbock, 190.
drawn on China, Brazil, East and West Indies, general date of	Gurney, 260 to 267; 272.
Bonds, as to bringing them under the relaxed usury laws	Freshfield, 521; 527, 528.
(See Commission.)	
Brokers, their practice in respect to discounting bills	Glyn, 126 to 131.
C.	
(See Discounts—Interest.)	
Capital, as to using of, in discounting	Cook, 601.
as to employing of, and interest paid on	Lubbock, 202 to 205.
no want of, for discounts	Lubbock, 216.
(See France.)	
of Bank of France	Norman, 647, 648.
Capitalists, interest they take, and mode of employing money	Cook, 570 to 577.
Circulation of Bank of England, in 1839, state of	Norman, 27.
of country banks, in 1839, state of	Norman, 28.
Coffee, mode of sale of	Cook, 545 to 549.
(See Bills—Interest.)	
Commercial bills are safer than government securities	Gurney, 333.
Commission on bills of exchange is only charged by bill-brokers and agents	Glyn, 121, 122.
and interest, how charged, before and since alteration of usury laws	Maynard, 380 to 390.
charge for, in the case of Messrs. Kensington	Maynard, 384.
Cook, James, esq., evidence of	Evidence, page 42 to 48.
Country banks, money of, how employed, and interest received	Gurney, 315 to 319; 322.
discount bills	Loyd, 89, 90.
circulation of, in 1839, state of	Norman, 28.
Creditors, repeal of usury laws has acted adversely to	Cook, 614 to 617.
D.	
Debts, what, are admitted in bankruptcy cases	Graham, 701 to 705; 755.

(*See Echeance*)

Discount, rate of, is generally above the market rate ..... Norman, 632 to 636.
general rate of, ... Norman, 48 to 53. Glyn, 118 to 120.
rate of, by Bank of England, in 1839, was six per cent ..... Loyd, 87.
average rate of, in 1839, was six per cent. and above ..... Loyd, 84 to 87.
mode of, by Bank of England ..... Norman, 632 to 634: 639.
on long and short bills ..... Glyn, 117, 118.
on long-dated bills not so easy as short in times of pressure ..... Norman, 34, 35.
Discounting too largely by Bank of England has been the cause of over-issues ..... Norman, 668.
has the effect of equalizing the demand and supply ..... Glyn, 155.
by bankers is only for their own customers or bill-brokers ..... Lubbock, 168: 173 to 175. 177; 189.
is an increasing business ..... Glyn, 151 to 154.
is done by country banks ..... Loyd, 89, 90.
bills in 1839, from Liverpool and Manchester, was done at six per cent ..... Loyd, 88.
Discounts by the Bank of England during the last war were from £16,000,000 to £19,000,000 ..... Gurney, 284.
rate of, should not be limited by law ..... Norman, 651; 657, 658.
no want of capital for ..... Lubbock, 216.
interest paid on, before and since the alteration of usury laws ..... Norman, 656 to 665.
interest paid on, in some cases ..... Lubbock, 165 to 169.
difficulty of fixing ..... Norman, 641 to 643.
limitation of interest, its effects on ..... Lubbock, 206 to 215.
Bank of France, terms on which it discounts ..... Lubbock, 220.
Distress, Manufacturing. (*See Manufacturing Distress.*)

E.

East India Company, terms on which they advance money on goods ..... Gurney, 356.

(*See Bills.*)

Echeance of bills, beneficial effect of limiting ..... Loyd, 66 to 70. Lubbock, 162 to 164.
of bills discounted, periods of alterations of dates by Bank of England ..... Cook, 619 to 626.
Exchequer bills, how affected by usury laws ..... Glyn, 145 to 150.
their effect on the money market ..... Gurney, 330 to 332.
premiums on, operation of, on the interest of money ..... Maynard, 413, 414.

F.

Flax, mode of sale of ..... Cook, 545 to 549.

eneral heads.	Name of witness and number of question.
Foreign capital does not find its way to England since the repeal of the usury laws	Cook, 594 to 600.
Foreign money, value of, is lower than in England	Gurney, 366.
(See Usury.)	
Foreign securities, how affected by the usury laws	Glyn, 145 to 150.
their effect on the discount market	Gurney, 334 to 338.
Foreign funds, their operation on the interest of money	Maynard, 413, 414.
France, bank of, amount of capital of	Norman, 647, 648.
rate of interest they pay	Gurney, 367, 370. Cook, 593.
terms on which they discount	Lubbock, 220.
Freshfield, James William, esq., evidence of	Evidence, page 37 to 42.
G.	
Gentlemen, as to their raising money under the old or new law of usury	Loyd, 103. Glyn, 133 to 136.
Glyn, George Carr, esq., evidence of	Evidence, page 10 to 13.
Goods, terms on which bill-brokers advance money on	Gurney, 352 to 355.
terms on which the East India Company advance money on	Gurney, 356.
fluctuations in the sale of	Norman, 650, 651.
Government transactions are free from the usury laws, and effects of	Gurney, 279 to 283.
securities are not so safe as commercial bills	Gurney, 333.
loans attract money from the commercial markets	Gurney, 285.
Graham, Mr. George J., evidence of	Evidence, page 56 to 60.
Gurney, Samuel, esq., evidence of	Evidence, page 19 to 27.
H	
Hamburg, rate of interest at	Cook, 593.
Holland, rate of interest at	Cook, 593.
I.	
Insolvency, as to prevention of, by paying a high rate of interest for money, and effects of	Maynard, 433 to 445.
its state under the usury law relaxation	Cook, 558 to 561
effects of usury laws on	Freshfield, 495 to 499.
repeal of usury laws has acted adversely to creditors of insolvents	Cook, 614 to 617.
Insurance companies lend money on bills	Glyn, 140 to 142.
Insurance, policy of, in addition to a bill given by a bankrupt, takes the case out of the protection of the law	Graham, 701.

Interest, fluctuations of, how far influenced by the Bank of England ..... Norman, 672 to 678.
rate of, during the late war was about five per cent ..... Norman, 6.
beyond five per cent. augments the amount of cash in the market ..... Gurney, 328 to 331.
is not arbitrary, but dependent on the value of money ..... Loyd, 81 to 83.
above five per cent. should not be allowed under usury law extension in bankruptcy ..... Graham, 756 to 759.
average rate of ..... Freshfield, 503.
steadiness of, its advantages ..... Lubbock, 220 to 224.
high, as to legalizing of ..... Maynard, 425 to 445.
high, policy or impolicy of ..... Norman, 649.
high, may induce many to buy annuities ..... Norman, 663 to 665.
high, paid for money, if legal, is no stigma on traders ..... Maynard, 424 to 426.
low rate of, improves the condition of manufacturers ..... Gurney, 340 to 343.
low rate of, is the test of its value ..... Gurney, 339; 343, 344.
rate of, should not be limited ..... Norman, 20 to 23.
rate of, paid by houses of good and inferior credit ..... Lubbock, 195 to 201. Maynard, 453 to 465.
rate of, in manufacturing districts ..... Gurney, 358; 362 to 365.
fluctuations in rate of ..... Freshfield, 500 to 502.
limitation of, its effects on discounts ..... Lubbock, 206 to 215.
if limited to five per cent., inconvenience of ..... Loyd, 71.
restrictions on, should act generally ..... Norman, 7.
on bills in the market, is five per cent ..... Loyd, 78 to 80.
on bills was reduced in 1840 from six to five per cent ..... Norman, 48 to 50.
charged on first and second class bills ..... Gurney, 290 to 292. 294 to 298; 310. Maynard, 395 to 400.
on bills of long date ..... Lubbock, 189, 190.
at 30 per cent. has been paid for the renewal of the bills at two months ..... Maynard, 459 to 469.
paid on discounts in some cases ..... Lubbock, 165 to 169.
and commissions, how charged on bills of exchange before and since alteration of usury laws ..... Maynard, 380 to 390.
as to raising of, on bills between 1839 and 1840 ..... Lubbock, 194.
paid on employed capital ..... Lubbock, 202 to 205.
on exchequer bills, how it affects rate of interest ..... Maynard, 413, 414.
rate of, at Paris, Hamburg, and Holland ..... Cook, 593. Norman, 644.

K.

Kensington, Messrs., charge for commission in the case of ..... Maynard, 384.

General heads.	Name of witness and number of question.
L.	
Land, as to extending the relaxation of the usury laws to	Freshfield, 518 to 521.
Liverpool and Manchester, bills from, in 1839, were discounted at above six per cent	Loyd, 88.
Loyd, Samuel Jones, esq., evidence of	Evidence, page 5 to 10.
Lubbock, Sir John William, baronet, evidence of	Evidence, page 13 to 19.
M.	
Manchester and Liverpool, bills from, in 1839, were discounted at above six per cent	Loyd, 88.
Manufacturers, their condition is improved by low rate of interest	Gurney, 340 to 343.
Manufacturing distress in 1839 and 1840, how borne, as compared with that of 1826	Norman, 14.
Market rate of interest, what	Norman, 635 to 638.
Maynard, Joseph, esq., evidence of	Evidence, page 28 to 37.
Mercantile men, their opinion of the present state of the usury laws	Glyn, 143, 144.
Money, present value of	Gurney, 288, 289.
low rate of interest on, is the test of its value	Gurney, 339; 343, 344.
interest on, is not arbitrary, but dependent on its value	Loyd, 81 to 83.
was not worth more than five per cent. before relaxation of usury laws	Cook, 580 to 585.
found its true value in 1815 on the stock exchange	Gurney, 285 to 287.
value of, is continually changing	Maynard, 394.
value of, in 1825	Cook, 609, 610.
price of, regulates itself	Lubbock, 196.
as to legalizing high rate of interest on	Maynard, 425 to 445.
difficulty of getting, at a high rate of interest, but not at a low	Cook, 611 to 613.
low rate of interest on, improves the condition of manufacturers	Gurney, 340 to 343.
how affected by relaxation of usury laws	Cook, 578, 579.
interest on, has been raised by the relaxation of the usury laws	Graham, 680.
profit of, on bills, is the difference of price in buying and selling	Gurney, 294 to 296.
lent for short periods, as to	Freshfield, 519 to 521.
borrowed by second-class persons, large sacrifices made by	Freshfield, 487, 488.
transactions, competition in, is of great advantage to traders	Loyd, 93, 94.
pressure for, has been great for the last four years, and causes of	Freshfield, 482 to 485.
should be allowed to be lent by others as well as the Bank of England at above five per cent	Norman, 9 to 13.
dealings should be free and unrestricted	Norman, 30, 31.
terms on which it is advanced by the East India Company	Gurney, 356.
in foreign countries, value of, is lower than in England	Gurney, 366.
Money at call, meaning of	Lubbock, 231 to 244.
interest paid on	Lubbock, 175, 176; 234 to 236; 240.
security received for	Lubbock, 237 to 239.
lenders, reputable and disreputable, how distinguished	Graham, 726 to 732.
lenders, profits derived by, are detrimental to commerce	Cook, 561 to 563.

Money markets, effects of exchequer bills on the ..... Gurney, 330 to 332.
Mortgages, interest paid on money raised on, before and since relaxation of usury laws ..... Freshfield, 531 to 536.
relaxation of usury laws has not raised the interest of money on ..... Freshfield, 529, 530.

N.

Norman, George Warde, esq., evidence of ..... Evidence, page 1 to 5; 49 to 56.

P.

(See Interest—Usury.)

Paper in circulation is at present sound in its character ..... Gurney, 357 to 359.
in the manufacturing districts is sound in character, and how drawn ..... Gurney, 358 to 360.

R.

Resolution of the bank directors on the advantages of the modification of the usury laws ..... Norman, 29.

S.

Security, if inferior, rate of interest high ..... Glyn, 113 to 114.
foreign, how affected by usury laws ..... Glyn, 145 to 150.
Silk, mode of sale of ..... Cook, 545 to 556.
Speculators in money, modes by which they realize fortunes ..... Maynard, 422.
Spirits, mode of sale of ..... Cook, 545 to 549.
Stock exchange is the market for money, and how conducted ..... Gurney, 318 to 321; 325, 326.
Sugar, transaction and mode of sale of ..... Cook, 545 to 549.

T.

Tea, mode of sale of ..... Cook, 545 to 549.
Timber, mode of sale of ..... Cook, 545 to 549.
Tobacco, mode of sale of ..... Cook, 545 to 549.
Traders do not approve of the alteration of the usury laws ..... Cook, 564 to 571.

U.

Usury is a trade; by whom carried on; operation and effects of ..... Maynard, 403 to 423.
Usury laws are generally injurious ..... Norman, 9.
old, disadvantages of a strict application of ..... Gurney, 248 to 250; 285, 286.
their operation on the money market prior to the relaxation ..... Freshfield, 515 to 525.
inconvenience of, to merchants ..... Norman, 15 to 19; 25. Glyn, 111, 112; 116.
have always been evaded at the expense of borrowers ..... Cook, 543, 544.
evils of, can be evaded, and modes of ..... Norman, 24 to 26. Loyd, 60; 72. Glyn, 116. Maynard, 377 to 380; 400 to 403.

General heads.	Name of witness and number of question.
Usury laws, interpretation of	Maynard, 443 to 452. Gurney, 272 to 279.
opinion of mercantile men on the present state of the	Glyn, 143, 144.
should be discarded	Loyd, 95 to 108.
traders do not approve of the alteration of	Freshfield, 564 to 571.
their effects on exchequer bills and foreign securities	Glyn, 145 to 150.
relaxation of, has been beneficial under pressures for cash	Freshfield, 480 to 482.
is a benefit to commerce	Lubbock, 197; 224 to 230. Maynard, 423.
effects of	Norman, 8. Loyd, 55 to 60; 73 to 76. Glyn, 110, 115; 123 to 125. Lubbock, 159. Maynard, 375 to 380. Cook, 543, 544; 558, 585. Graham, 711 to 724.
its advantages to the Bank of England	Norman, 29.
interest taken under	Cook, 550 to 558.
its effects on government loans	Gurney, 311 to 314.
its effects on bills of exchange	Lubbock, 570 to 572.
operates favorably on long bills	Gurney, 251 to 258.
has been of use to second-class paper	Gurney, 292, 293. Maynard, 375 to 380.
its effects on houses of inferior credit	Gurney, 304 to 309.
has been a convenience to the mercantile world	Loyd, 55 to 60; 91 to 93.
is favorable to capitalists, but not to the borrower	Cook, 543, 544.
prevents many sacrifices in trade	Freshfield, 500 to 514.
has tended to the prevention of failures	Gurney, 299 to 304.
has not raised the interest of money on mortgages	Freshfield, 529, 530.
should be extended to land	Freshfield, 518 to 521.
has raised the interest of money	Graham, 680.
has decreased the amount of money invested in foreign securities	Gurney, 335 to 340.
has brought out capital from foreign stocks	Freshfield, 493 to 495.

W.

Wine trade, mode of sales in the	Cook, 545 to 549
bills in, are of long date	Lubbock, 190.

REPORT FROM THE SELECT COMMITTEE ON THE USURY LAWS.

The select committee appointed to consider of the effects of the laws which regulate or restrain the interest of money, and to report their opinion thereupon to the house, and who were empowered to report the minutes of the evidence taken before them, have, pursuant to the order of the house, examined the matters referred to them, and have agreed upon the following resolutions:

1. *Resolved*, That it is the opinion of this committee that the laws regulating or restraining the rate of interest have been extensively evaded, and have failed of the effect of imposing a maximum on such rate; and that of late years, from the constant excess of the market rate of interest above the rate limited by law, they have added to the expense incurred by borrowers on real security, and that such borrowers have been compelled to resort to the mode of granting annuities on lives, a mode which has been made a cover for obtaining higher interest than the rate limited by law, and has further subjected the borrowers to enormous charges, or forced them to make very disadvantageous sales of their estates.

2. *Resolved*, That it is the opinion of this committee that the construction of such laws, as applicable to the transactions of commerce as at present carried on, have been attended with much uncertainty as to the legality of many transactions of frequent occurrence, and consequently been productive of much embarrassment and litigation.

3. *Resolved*, That it is the opinion of this committee that the present period, when the market rate of interest is below the legal rate, affords an opportunity peculiarly proper for the repeal of the said laws.

MAY 30, 1818.

List of witnesses.

Jovis, 30° die Aprilis, 1818, David Ricardo, esquire, George Frere, esquire.

Veneris, 1° die Maii, 1818, Sir Samuel Romilly, M. P.

Martis, 5° die Maii, 1818, Edward Bartenshaw Sugden, esquire, Mr. Thomas Nowlan.

Mercurii, 6° die Maii, 1818, Mr. Anthony Goodeve, Mr. Rowland Wimburn.

Jovis, 7° die Maii, 1818, Mr. Nehemiah M. Rothschild.

Veneris, 8° die Maii, 1818, Warner Phipps, esquire, Samuel Gurney, esquire.

Mercurii, 13° die Maii, 1818, Mr. James Gibbs, Thomas Kemble, esquire.

Jovis, 14° die Maii, 1818, Richard Preston, esquire, M. P.

Lunæ, 18° die Maii, 1818, Sir Samuel Romilly, M. P., Nicholas Waring.

Mercurii, 20° die Maii, 1818, John Tunno, esquire, Swinton C. Holland, esquire.

Jovis, 21° die Maii, 1818, John Thornton, esquire, Richard Blanshard esquire.

Veneris, 22° die Maii, 1818, Joseph Kaye, esquire, James Weston, esquire, Mr. Edward Wakefield.

Minutes of evidence taken before the select committee on the usury laws.

JOVIS, 30, *die Aprilis*, 1818.

Mr. SERJEANT ONSLOW in the chair.

David Ricardo, esq., called in and examined:

1. Has your attention been called to the laws which restrain the rate of interest?—Yes.

2. Have you that experience to say, or have you perceived, whether those laws are beneficial or otherwise?—I think otherwise.

3. In what respect do you think otherwise?—It appears to me, from the experience which I have had on the stock exchange, that upon almost all occasions they are evaded, and that they are disadvantageous to those only who conscientiously adhere to them.

4. Do you think that repealing those laws would have the effect of raising or lowering the average rate of interest?—I think that the effect would be but trifling; but, if anything, it would tend to lower the rate of interest.

5. When the funds afford a greater rate of interest than five per cent., do not the usury laws injure the commercial part of the world with regard to discounts?—Not only at that time, but at other times, for it often happens that the price of the funds affords a less rate of interest than five per cent. at the same time that the market rate of interest is much above five per cent.

6. But, however, in point of fact, during the late wars, have or have not persons engaged in commerce sustained injuries from the operation of the usury laws?—I should think that they had sustained injuries in consequence of those laws.

7. Have you any doubt of it?—I have no doubt at all, as far as my experience goes, but those injuries have been diminished by the easy means of evading them.

8. Of successfully evading them?—The evasion of the law is the effect of the natural order in which these transactions take place.

9. In what manner evaded?—In the particular market with which I am acquainted, namely, the stock market; they are evaded by means of the difference between the money price and the time price of stock, which enables a person to borrow at a higher rate of interest than five per cent., if possessed of stock, or to lend at a higher rate, if the difference between the money price and the time price affords a higher rate.

10. Has that been acted upon extensively?—Very extensively; it is the usual and constant practice.

11. The difference between the money and the time price is that which is called "continuation," is it not?—Yes.

12. Was there not a trial some time ago as to the legality of "continuation?"—There was.

13. For some time did not that trial diminish the practice very considerably, at least so far as making bargains for buying and selling to the same person?—That trial did diminish such bargains.

14. Will you be kind enough to favor the committee with your opinion with respect to these laws?—As far as my experience goes in business nothing is more easy than to evade them; and after that trial, to which allusion has been made, the same practice was continued by altering the quantity of stock either for money or for time; on all former occasions the same amount of stock was bought for one period that was sold for another period; but some timid men, after that trial, thought they were perfectly safe by making those sums different quantities, although they differed but a trifle in amount; and they thought themselves equally safe in buying stock for money of one person and selling it at the same instant for time to another.

15. Do you think that the supposed or real illegality tends in any degree to increase the rate of that continuation?—The dealing in stock for time is, in many cases, an illegal transaction, and therefore may sometimes have an effect on the continuation. A man possessed of money, purchasing stock for ready money at one price, and selling for a future day at a higher price, may make more than the legal rate of interest by so doing; but, as he may not be actually possessed of stock at the time of making the time bargain, it cannot be considered in any shape as a legal transaction, and he can have no legal remedy against the default of the purchaser.

16. I beg to ask whether I am to understand that, in general, these transactions by continuation are not strictly legal?—In my opinion the greater part of these transactions are not legal.

17. And you are of opinion that that illegality raises the rate at which the borrower obtains the money?—Exactly so; there would be more competition if it was not for that.

18. In this manner you conceive the usury laws indirectly to raise the rate of interest in these transactions by compelling persons to resort to a practice not strictly legal?—Yes.

19. Am I to understand that, in point of fact, by this continuation, nothing is done, but that money is raised at a higher than the legal rate of interest?—The transaction never has that complexion; a man bargains either for the purchase or the sale of stock, for money or time, and the rate of interest is never spoken of; it is the effect of the transaction, but never the avowed object of it.

20. That I understand; but I wish to ask whether, in point of fact, the effect is not simply to obtain the use of money at a higher than the legal rate, though that is not the shape of the transaction?—That is generally the object, but it frequently happens that the difference between the money and the time price of stock may not afford so much as the market rate of interest, and may also be below the legal rate.

21. I am to understand, therefore, that this is a risk which the lender, so to speak, takes upon himself?—There is no risk whatever in it, as far as regards the rate at which the money is lent or borrowed, because it is known at the time what rate of interest the difference between the money and the time prices affords, and because the sum to be received by the lender is thereby defined and settled.

22. Is not that sum, or rather the profit to be derived by the lender, governed by the market rate of interest at that time?—I can only say that I think it is not.

23. How comes it that it is not?—When preparations are making for a loan, large sales of stock are made, of which the seller may not be possessed, but which he may expect to replace by the share he may have in the loan to be contracted for; in such case there may be rather a scarcity than otherwise of ready-money stock in the market; the seller, who is not possessed of stock, will sell it at a small addition of price for time, and sometimes even under the money price.

24. In your opinion can the government loans and other public transactions in the funds be carried on without purchasing and selling stock for time, and will not the difference between the two prices be governed and depend on the market value of money, and not on the legal rate of interest?—The government loans could not, in my opinion, be carried on if time bargains were disused; the difference between the money price and the time price does not always depend, as I have before stated, on the market rate of interest; in general, stock is in abundance, and in that case no inconvenience arises in depositing that as a security for money borrowed; but on some occasions stock exists in a degree of scarcity, and then, although the market rate of interest may be high, it may be inconvenient to the borrower to deposit this particular security; consequently the time price will be either very little above, or even below the money price.

25. I beg to ask if it is within your knowledge, and if it is your opinion, that what you have described as continuation or time bargains embrace any dealings in money at all, or are they not rather speculations between the parties?—In many cases, indeed in most cases, it is a speculation between the parties, but it is constantly had recourse to as a means of borrowing and lending money.

26. In times of difficulty do not the usury laws injure commerce by restricting discounts, and the making of loans to persons engaged in all branches of trade?—In my opinion they do.

27. Will you state to the committee if you think that any good effect is derived by the public from the usury laws?—I think no good effect is derived from those laws.

28. Are you aware of any inconvenience that would result from the repeal of them?—None whatever.

29. Were there not a considerable number of persons who formerly lent money upon continuation who were deterred from doing so by this trial, in which it seemed to be held by the court to be usurious?—The trial which took place was concerning continuation upon scrip receipts, and not on stock. The transactions are similar to each other, but the facility of proof may be different.

30. Those were actions under the usury laws, were they not?—They were.

31. But it was, I believe, one action to recover penalties under the usury laws?—It was.

32. You have already said that it did deter many persons from continuing to lend money on continuation?—Yes.

33. By so deterring them, had it not the natural operation to raise the rate of continuation?—I consider that rather as a question of science, which must require a good deal of consideration, because the money may be lent by these parties at the legal rate of interest, and thus it may come to the same borrowers by a circuitous route.

34. If you wished yourself to borrow money on continuation, should you not be desirous that there should be in the market a great number of persons disposed to lend upon continuation?—Most certainly.

35. For what reason?—Because it is probable the terms might be somewhat lower.

36. Does not the power of selling stock for money, and repurchasing it for time, afford great facility to the holders of stock, by enabling them for temporary purposes to procure money, without foregoing the advantage of repossessing their stock at a distant day?—Most undoubtedly.

37. May not this advantage be considerably more than the excessive interest which the transaction may have obliged them to pay?—Without any doubt at all.

38. What effect would the abrogation of the usury laws produce upon the financial operations of the government in time of war; I mean in the negotiation of loans?—It would rather tend to facilitate them. The government is not bound by the usury laws, for in allowing discount for prompt payment for a loan they frequently give considerably more than five per cent.

39. When the legal rate of interest is five per cent., and the government are enabled to borrow at a higher rate of interest, does it not proceed, as a necessary consequence, that they, the government, are enabled to borrow when individuals are not?—Certainly.

40. Does not the government, therefore, obtain in this way a preference in the money market, and thereby obtain a facility in the negotiation of their loans?—If the law was not evaded such would be the effect; but, as I have already observed, it is completely evaded.

41. In the negotiation of loans, have you ever known the laws for restricting interest to be taken into consideration in adjusting the terms?—Never; and frequently, when loans are raised at an interest below the legal rate of interest, the mode in which the discount on prompt payment is calculated affords a rate of interest of sometimes seven, eight, or nine per cent.

42. Do not takers of loans calculate the advantages which result in government stock transactions from the habit of evading the usury laws?—Certainly; if those laws were not evaded the contractor would not be able to give the

minister such good terms. His transactions would be cramped if he were prevented from borrowing at the market rate of interest.

43. What is the criterion by which you judge the market rate of interest, or is there any criterion at all?—I know of no other criterion than the prices of the public securities, and the facility of raising money for short periods.

44. Do you not think that the price of the government securities affords a very good criterion of the market rate of interest?—Not a very good one. Their price is a good deal influenced by speculation, and by the anticipation of political and financial events.

45. I would mean to speak of the average price of these securities, and not of their occasional fluctuations?—I can hardly conceive any times in which these securities are not acted upon by the considerations I have stated.

46. Would you consider the price of exchequer bills as a criterion?—As a better criterion than the price of the funds.

47. Would you not rather consider that discount in the market was a more just criterion than the value of the public funds?—No; because discounts are strictly regulated by the laws of usury.

48. I mean to confine it to discounts when interest is not above the legal rate, and there are cases when discounts are inferior to the legal rate?—When the market rate of interest is below five per cent., then I think that the discount given on a bill is a very good criterion of the market rate of interest.

49. You have already said that money may be raised by borrowing on continuation; does not this give to the holder of stock a greater facility of raising money than other persons possess who are holders of other property?—I should think it does.

50. Are you acquainted with the nature of foreign loans?—I never was engaged in any.

51. You do not know what is the discount of bills, or the mode of raising loans in France, Holland, and Germany?—No, I do not.

52. What are the grounds of your opinion of the principle by which the rate of interest is regulated?—It is regulated by the demand and supply, in the same way as any other commodity; but the demand and supply itself is again regulated by the rate of profit to be made on capital.

53. Do you think there is anything in the nature of money, or of the transactions regarding the borrowing or lending of money, which distinguishes it from other commodities which find their value in the market according to the proportion of demand and supply?—None whatever; the market rate of interest for money depends on the proportion between the borrower and the lender of capital, without reference to the quantity or value of the currency by which the transactions of the country are carried on.

54. Have you, in the course of your transactions, been acquainted with a case in which any disadvantage could have been derived to the borrower by the abrogation of the usury laws?—None whatever; on the contrary, the abrogation of the usury laws would, upon all occasions, have been advantageous, in my opinion, to the borrower.

55. Are you not of opinion also that their abrogation would be equally advantageous to the lender?—I conceive there are cases in which their abrogation would not be quite advantageous to the lender, because he may exact a premium for the risk which the law imposes upon him.

56. But except in so far as he exacts a premium for his risk in breaking the law, you are of opinion he can derive no advantage from the usury laws?—I think all his advantages may be referred to that principle.

57. Do you think that mercantile interests will be injured or served by these restraints of the usury laws upon interest?—I have already given my opinion that they would be much served by the abrogation of these laws.

58. If a person who is possessed of considerable capital in this country, or in

any other country belonging to the United Kingdom, should wish to make the most of his money, and if he is restrained in this country by the usury act, do you not think it would be the means of his transferring his capital to another country, where he would obtain a greater rate of interest, by loan or discount?—Undoubtedly, if the law be not easily evaded.

59. Do you not believe that many have been injured by borrowing money upon annuities at a very high rate, and do you not believe that many have been more injured by these means than if they could have borrowed money at the market rate of interest?—I have no knowledge of any such transactions; but my opinion is very decided, that they have been more injured by having been prevented from borrowing money at the market rate of interest.

George Frere, esq., called in and examined:

60. You are a partner in the house of Forster, Cooke & Frere, of Lincoln's Inn?—Yes.

61. Have you had any experience as to what has been the effect of the laws for restraining the rate of interest upon landed gentlemen during the late wars?—They have had the effect of increasing very much the difficulty of borrowing money on mortgage, and the rate at which it has been possible to borrow it.

62. Has there not been a very great distress among the landed gentlemen, in consequence of not being able to obtain fresh loans of money on landed security, when mortgages have been called in?—Very great indeed; it has been almost impossible to obtain it on mortgage at legal interest.

63. Has or has not the effect been to compel landed gentlemen to raise money upon annuities?—It has, to a great extent.

64. Has it not been the case with gentlemen possessed of estates in fee-simple that they have had recourse to the mode of borrowing money by annuities?—It has been so, in many cases within my observation, but I have not been personally concerned in any.

65. Before the war, I believe your office was one in which many mortgages were prepared?—Yes, it was.

66. Do you know, or not, whether in cases where money has been lent on mortgage, that it has of late been usual to insert a power to sell?—I have known it in many instances.

67. Do you know of any instance of the court of chancery being applied to, to prevent the foreclosure, under the circumstances that have been alluded to?—When application has been made to the court of chancery for a foreclosure, the court has shown great indulgence, on account of the difficulties of the times, and it has been very difficult to obtain a foreclosure.

68. To what extent do you conceive that the legal restraint on the rate of interest has increased the expense of borrowing, under the circumstances which you have described?—I should think that in many cases people have been obliged to borrow at the rate of from nine to twelve per cent., by granting annuities, when, if it had not been for these restrictions, they might have procured money at from six to eight per cent.

69. When you say, "borrow money upon annuities," do you mean upon one life, or upon more lives than one?—My answer applies to both: in cases of life tenancy the security is made for one life only; and in cases of persons possessed of estates in fee-simple, the securities are commonly, as I have understood, made for three lives named by the lender.

70. Are you aware of any other mode, besides that which you have stated of annuities, by which money has been borrowed at a higher rate than the legal interest?—Not upon landed securities; I have seen instances of loans of money upon fraudulent and pretended sales of goods.

71. You know of no other means than you have stated?—I do not recollect any other means.

72. At what rates have such loans been procured ?—The loans I speak of, in fraudulent sales of goods, are almost beyond any rate of calculation; they are commonly loans to young men, who throw the goods away as soon as they get them; and as they pay no regard to anything but obtaining the money they want, the same goods are sold over and over again to the same persons. My experience of such transactions has been in subsequent attempts to obtain redress for those who have been duped by them.

73. Is it your opinion that the difficulty of obtaining money upon mortgage, at the regular interest, has prevented, in general, the transfer of landed property?—It certainly renders landed property less desirable, and therefore must have impeded the sales, and reduced the value.

74. Have you known of any loans upon post-obit bonds, such as when a young man passes a bond payable upon the death of a father?—Of course I have heard of such things.

75. I suppose you have known at what rate such bonds have been discounted ?—I do not happen to have been acquainted with any dealings in post-obit bonds.

76. Has not the difficulty of borrowing money, and the restriction on the rate of interest, which now exists, injured the improvement of the country, in your opinion ?—I am of opinion that it has rendered land less of an exchangeable commodity than it otherwise would have been.

77. I would ask, whether the difficulty of borrowing at the present restricted rate of interest has not prevented the general improvement of the country ?—It has caused a great pressure upon the distressed part of the landed proprietors.

78. From the whole of your experience, are you not of opinion that the usury laws tend rather to raise than lower the rate of interest ?—What effect they may have upon the general average rate of interest I hardly feel competent to form an opinion; they certainly have increased the rate of interest to those who have been obliged to borrow in difficult times.

79. The borrower usually pays, not only a higher rate of interest for the risk which is run in evading those laws, but also from the discredit thrown upon those who are disposed to lend upon a higher rate than the legal rate?—Certainly.

80. Do you know of any good effect that results to the public from the usury laws?—No; I am not able to point out any, except that when the market rate of interest is about the same as the legal rate (but at no other time, as it seems to me) they may be useful as an easy test of extortion. This last use of them, however, is liable to very great abuse, and they are, perhaps, as often made an instrument of oppression against a fair lender of money, as they are of relief against an extortioner. They are, I should think, less useful now than at former periods, because the courts are of late years more in the habit of closely investigating cases of fraud and extortion, and of deciding each case according to its peculiar circumstances.

81. Are you aware of any inconvenience that would attend the repeal of them?—I think it would render land rather more easily transferable; I think it would be a great private convenience, and I am not aware of any inconvenience.

82. I would ask you, if ever, in the course of your practice, you have been acquainted with any case in which the abrogation of the usury laws would have been attended with disadvantage to the borrower?—None, that I am aware of, but the contrary.

83. I would ask, whether any other means have been had recourse to, to make up the difference between the legal and the market rate of interest, when money has been borrowed on the security of land, besides the having recourse to annuities ?—I know of no other. It has been usual to give to the agents for the lender premiums for loans, when it might have been difficult to obtain loans without them.

84. Do you not believe that there are many cases in which both respectable landed proprietors, and mercantile men and others, would find it well worth their while to borrow money at double the present rate of interest, and more? Certainly.

Veneris, 1° *die Maii*, 1818.

Mr. Serjeant Onslow, in the chair.

Sir Samuel Romilly, a member of the committee, examined:

85. Will you be kind enough to inform the committee, whether it is the course of the court of chancery to refuse a foreclosure on account of the distress of the times?—No, there is no such rule in the court of chancery, and I have known the court refuse applications to enlarge the time for foreclosing an estate founded upon no other grounds than the distress of the times; the court, however, generally enlarges the time for redemption, upon the payment of all the interests and costs, without any reference to the particular state of the times; the court does that two or three times, and sometimes oftener, and though I do not recollect instances myself, I understand that there are instances of the court giving more time on account of the distress of the times: perhaps I ought to state, that although the court of equity will give time before making a decree of foreclosure absolute, yet the creditor may have recourse to all remedies at law, besides insisting on a foreclosure in the court of equity; and a court of equity, in such cases, can give the debtor no relief. I have known instances of a mortgagee filing a bill of foreclosure, bringing an ejectment to get possession of the estate, bringing an action upon the bond or the covenant, and proceeding to take his debtor in execution, and keeping him in execution till he got an absolute foreclosure.

86. Has your experience enabled you to form an opinion as to the operation of the usury laws upon the landed interest?—As far as my experience goes, I should say that the laws against usury are very injurious to the landed interest; the effect of them, I think, is, that when the proprietors of estates are under the necessity of raising money, at times when money is extremely scarce, they are obliged to raise it by the granting of annuities, or in other modes extremely disadvantageous to themselves.

Martis, 5° *die Maii*, 1818.

Mr. Serjeant Onslow in the chair.

Edward Burtenshaw Sugden, esq., called in and examined:

87. You have been many years conversant with real property?—I have, for upwards of fifteen years.

88. Very extensively so?—Certainly.

89. Have you had an opportunity of observing the effect of usury laws upon landed property?—I have.

90. Have they been beneficial or otherwise?—They have been decidedly inimical to the interest of the landed proprietor.

91. Be kind enough to inform the committee your sentiments upon the subject.—Every landed proprietor will have money when he wants it, and there are always two rates of interest; one the market rate, and the other the legal rate. If the market rate rises above the legal rate, the landed proprietor must necessarily resort to some shift to evade the usury laws; this is done under the color of granting life annuities. In all such dealings the transaction is in truth a loan; the party advancing the money always fixes upon a rate per cent.at which he is willing to lend his money, to which he adds the costs of the insurance. The higher the terms are, the more the transaction assumes the shape of a loan, because the very exorbitancy of the terms renders it an act of

duty on the part of the borrower towards himself to re-purchase the annuity as soon as he possibly can; for in all these cases, without any exception, a power to re-purchase is inserted in the grant of the annuity; and in speaking of such transactions I have invariably observed that the parties treat them as loans, and not as a purchase out and out of an annuity.

92. Are these annuities generally granted for the life of the grantor, and if not, for one life, or for more lives?—When the borrower has only a life-interest, the annuity is necessarily granted for his life only; but when the grantor has a larger interest, for example a long term of years or a fee-simple, the annuity is then granted for three lives at the least, and the life of the survivor of them; and as this diminishes the risk of the security, a smaller sum is generally added as the charge of insurance. I have known annuities granted for three lives at 10 per cent. upon fee-simple estates unincumbered and of great annual value in a register county. I have also known annuities granted for four lives, and more would have been added but for the danger of equity setting aside the transaction on account of the inadequacy of the consideration. Latterly many annuities were granted for a term of years certain, not depending upon lives.

93. If there were no laws of restriction on the rate of interest, could or could not better terms have been obtained?—I am decidedly of opinion that better terms could have been obtained, for there is a stigma which attaches to men who lend money upon annuities that drives all respectable men out of the market. Some leading men did latterly embark in such transactions, but I never, for instance, knew a man of reputation in my own profession lend money in such a manner, although we have the best means of ascertaining the safest securities, and of obtaining the best terms. In all loans two solicitors are invariably concerned, one for the borrower and one for the lender; and although the borrower always pays the expense of the securities, yet a regular professional bill is invariably made out; whereas in the case of an annuity, although it is in strictness a loan, one solicitor only is employed, and he never makes out a regular bill, but charges what is termed a lumping sum for all his expense and trouble in the transaction. Besides this, a judgment is nearly in every case entered up against the borrower, with liberty to issue out execution if the annuity is a few days in arrear; this is never done upon a regular loan.

94. Are you aware of any inconvenience that would result from the repeal of these laws?—I have latterly turned that over frequently in my mind, and I entertain a confident opinion that the repeal of the laws would not in any manner prejudice the landed interest; for as money can now be obtained upon real security at four and a half per cent., although the law authorizes, as it now stands, five per cent. to be taken, it clearly follows it would still be obtained at that rate, that is, at four and a half per cent., if the law allowed cent. per cent. to be taken. But where sums are owing upon personal or slight securities, I should not be surprised if the parties were to claim a somewhat larger interest for thus suffering the sum to remain on such security as soon as the laws are repealed. I should not have thought it wise to repeal the laws during a moment of agitation; but the repeal of them now would scarcely be felt.

95. If the committee understand you rightly, they conceive you to mean, that if the laws were repealed, the rate of interest would be adjusted to the securities?—Precisely so; money, like every other commodity, will find its level in the market. At this moment I think clearly that the repeal of the usury laws would not raise the rate of interest on loans upon real securities.

96. Does anything else occur to you?—Without being able to vouch for the accuracy of the account, I sent this morning to the register's office in which the grants of life annuities are enrolled, in order to ascertain the number of annuities enrolled in the last four months, and the number in the corresponding four months of last year. It struck me, that as money was now plentiful, and the rate of interest consequenty, lower in the market, the number would be found to have decreased in

the four months in this year; and the numbers which have been given to me, as the result of a very hasty examination, were 457 in the first four months of the year 1817, and 340 in the course of the last four months, being a decrease of 117; but I cannot take upon myself to say that this is the actual result. With the leave of the committee, I will just add a few things that occur to me. I would first draw the attention of the committee to the act of the 53d of the King, which was framed by me, and which was, to a considerable degree, a relaxation of the usury laws, for as it facilitated and rendered more secure the grants of life annuities, which are merely an evasion of the usury laws, it did to that extent counteract their effect. If the usury laws are repealed, it would be necessary to repeal both that act and the act of the 17th of the King, which latter was repealed by the act of the 53d; for it would be absurd, as it seems to me, to leave these provisions on the statute-book, when a man may by law take what he can get for the loan of his money. In repealing the usury laws it appears to me that it would be very desirable to add two provisions; the one, that no man should lend money at interest without disclosing his name, as the lender, on the face of the security. This would prevent all underhand transactions. I myself never knew an instance, although now and then substantial reasons for privacy may occur, in which a person fairly lending his money at interest was desirous to conceal his name. The other provision which I would take the liberty to suggest is, a clause making it penal (of course I do not mean criminally) to lend money at interest, or by way of annuity, to an infant, and placing it out of the power of the infant when he comes of age to ratify such a loan; and allowing him to recover it by action, if he actually do pay it, and giving him the benefit of a discovery in equity against the lender. There is a clause partly to that effect in the annuity act, which might, with the necessary alteration, be adopted in this case. For some few years past it has been usual to insert powers of sale wholly at the discretion of the mortgagee in mortgages of real property. This power enables the mortgagee at once to secure to himself the repayment of his principal; and it appears to me, that when that operation is fully understood, the effect will be to lower the rate of interest on real securities. I may observe, that within the last few years many persons have borrowed money by way of annuity, who in former times did not engage in such transactions. Scarcely any man entered into a building speculation, with a small capital, who did not raise money by annuities, upon the security of his buildings, and very frequently before they were covered in. I have known gross frauds practiced in this respect, such as a finished house shown to a party, and a description of an unfinished one afterwards substituted. Houses have been shown as a security, in the finishing of which great numbers of workmen were employed, all of whom were taken off the moment the transaction was completed, and the annuitants were then left without any security for the annuity. By these and other frauds, I apprehend that more money has been lost than gained by loans under the shape of life annuities of small amounts; and I have known several very distressing cases in which unprotected females have lost the whole means of their subsistence by such transactions; and it does appear to me, that if the usury laws had not existed no such mischiefs as those which I have pointed out would have ensued, because loans are conducted with great caution and regularity. In many instances professed annuity dealers have collected small sums from all descriptions of persons, until they formed a considerable aggregate; this they have laid out in their own names in the purchase of one annuity, and there has been a deed to declare the trust of the annuity for the persons whose names were advanced, according to the proportion in which they had advanced them; they then procure themselves to be appointed receivers of the rents, in order to pay the annuity, for which they have a commission, and the annuitants are necessarily compelled to appoint them their receivers also, for which they charge another commission.

The temptation on the part of a solicitor to lend money upon annuities is very strong, because, without any check upon his charges, he demands whatever sum he pleases, and he takes care that it is instantly paid; for in no instance is the borrower allowed to leave the room until he has paid the solicitor's charge. It frequently happens that the solicitor was originally concerned for the man who borrows the money, although he has taken the pains to find out a man who wants to lend it, and he does not feel that interest in obtaining a proper security for the annuity, which it is always the duty of the solicitor to do in a regular transaction. In short, annuities in their rise were a mere evasion of the law of the land; in their progress they overturned the laws, and in their consummation they ruined most of the parties who engaged in them. The act of the 17th of the King, which was intended to restrain such transactions, led to more litigation, perhaps, within the same space of time, than any other act on the statute book. The moment the borrower felt the annuity press heavily on him, he attempted, and often with success, to set aside the grant; this led to great oppression on both sides; the lender considered himself as out of the pale of the law, and exacted a rate of interest which he considered would cover at once his risk and his disgrace. The borrower considered himself as oppressed, and applied part of the very money which he borrowed in defeating the security which he had given for it; all these circumstances led to the oppressive and irregular way in which such transactions are conducted. The act of the 53d of the King has put a total stop to all litigation in regard to grants of annuities; that act has now been five years in operation, and not a single annuity granted within that period has been the subject of a lawsuit; but nothing short of a repeal of the usury laws can put a stop to the abuses which attend grants of annuities; they strongly encourage a spirit of gambling; for as the repayment of the money lent cannot be enforced, and the annuity is granted upon a contingency, the borrower too frequently neglects to provide for repayment of the loan, but trusts to chance for the determination of the annuity.

97. Do you think it would be best for all descriptions of persons, and for the state, that there should be no boundary or restraint whatever upon interest, but that it should be left to the convenience, wants, and agreements of the borrowers and lenders?—Under the existing circumstances of the country, I am clearly of opinion that it would be for the benefit of all parties that there should be no restraint upon loans at interest. By the existing circumstances of the country, I mean the degree of commercial enterprise that pervades it, and the immense capital that it possesses; if the market rate of interest rise above the legal rate, there are already numerous devices by which the usury laws are evaded, and the borrower is forced to pay not only the market rate, but a compensation for the risk and disgrace which attend a breach of the laws. The high rate of interest which can now be obtained in France, and which is paid in England as regularly as our own funds, is a strong argument in favor of the repeal of the laws, if the market rate of interest were at this moment above the level of the law, instead of being, as it actually is, below it. In a commercial country like ours, with a large capital, usury laws must, I apprehend, always be injurious to the true interests of the community. If such laws merely follow the state of the market, they are at best unnecessary; if they disregard the state of the market, they will inevitably themselves be disregarded. From the fluctuation of the value of money, it is impossible to pass a law which shall at all times accord with the state of the market. The greater the penalty that is imposed on the breach of the law, the less is the chance of the law being enforced. Our usury laws have been hourly broken, and an instance rarely occurs in which the heavy penalties have been recovered; there appears to me no foundation whatever for the notion that it is for the benefit of the government that the *legal* rate of interest should be low; a wise government, I conceive, would encourage a ready circulation of money among landed proprietors, and not drive them to shifts to

evade usury laws. Whether our usury laws be repealed or not, the landed interest will always command the use of the capital which their necessities call for; upon loans to government, I apprehend the *legal* rate of interest has no influence; the rate of interest on the stock exchange regulates them, and that is not influenced by the legal rate.

Mr. Thomas Nowlan called in and examined:

98. Have you considered the operation of the usury laws in Ireland? If so, state your opinion respecting them to the committee.—I have given some consideration to the subject; at an early period of life I became concerned in considerable land agencies, and as a solicitor had an opportunity of becoming acquainted with a great variety of important pecuniary transactions affecting the interests both of landlords and of merchants; and the state of the poor in Ireland has occupied the first place in my consideration. The result of my experience, thus acquired, is, that the usury laws, as they affect the landed interest, the commercial interest, the condition of the poor, and the general morals of the people, are certainly injurious, and have tended to aggravate the evils which these laws intended to remedy. I conceive that the value of every article must be regulated by its abundance or its scarcity in the market. When it is abundant it will be cheap, when scarce it will be dear; every security and facility ought, therefore, to be afforded in bringing any article to market, and the usury laws appear to me to diminish that security and facility in bringing money to its proper market. I conceive that the market should be an open market, for the benefit of all who may have occasion to resort to it, and that the government have derived very considerable advantages in their money dealings by not being shackled by those laws; for if they had not been enabled to pay for money a rate above the legal interest, it is probable that Buonaparte would now have been the undisturbed master of the continent of Europe; and it is certain that government could not now obtain money under the legal rate, if they had not previously been enabled to maintain the public credit by procuring money above the legal interest. If, therefore, private individuals were allowed to come into the market, under the same circumstances, many would have been saved from those enormous sacrifices and losses which they have been obliged to sustain in resorting to annuities; and I am satisfied that many a person, once possessed of property and credit, and now in poverty, would have been able to have maintained his station in society if he could have obtained money upon fair terms at a moment of unexpected pressure and distress.

99. What is the legal rate of interest in Ireland?—Six per cent.

100. Is it not generally admitted that the backward condition of Ireland is mainly to be attributed to the want of capital?—Certainly.

101. Would not the repeal of the usury laws, by removing all restrictions in money dealings, contribute very much to enable all landlords and persons engaged in industrious pursuits to add to their capital, and thereby extend the employment of the people, and the general improvement of the country?—I certainly think that would be the effect after some years; but there are particular circumstances which affect the moneyed market, so far as concerns Ireland, which I fear will prevent the repeal of these laws from producing an effect so immediataly beneficial to Ireland, as such repeal must prove to this country. I allude to the unfavorable opinions which exist in this city, the fountain of capital, respecting Irish security—opinions which must undergo a total change before Ireland can derive the full benefit of the proposed repeal; for it is scarcely necessary to remark, that the lender will be very much governed by the consideration how far his principal will be effectually secured, and whether he is likely to be paid his interest with punctuality.

102. What circumstances are there peculiar to Ireland which have contributed to establish that unfavorable opinion?—The prejudices existing against

the merchants of Ireland, and which have operated very injuriously with respect to their credit in this country, are founded with but too much reason upon the defective state of the bankrupt laws; and if Parliament do not radically amend these laws, the best thing they can do will be to repeal them altogether. The prejudices which exist against the landed as well as the mercantile security are founded in an idea of the general insecurity of property in that country, in consequence of a supposed insubordination to the laws on the part of the great body of the people, and of the delay of justice which but too frequently occurs from the inefficient discharge of their duties by sheriffs.

103. Do you allude to the difficulty of enforcing the King's writs for the recovery of debts?—Yes; it is particularly to the non-execution of the King's writs that I allude, when stating that the non-performance of their duty by sheriffs is a principal cause of the prejudices entertained in this country against Irish securities.

104. Have many abuses in respect to the non-execution of writs come under your observation?—Several have; but it is now nearly eight years since I retired from the active discharge of the duties of my profession, and I cannot recall the particular instances to my recollection.

105. Are not these abuses a matter of universal complaint?—They are.

106. Is there any difficulty in obtaining the return of writs by process of law, in the several courts of justice in Ireland?—I do not conceive that the delay of justice is so much caused by a want of strict rules to enforce the due return and execution of writs, as by the disposition of defendants to submit to enormous sacrifices in the way of costs, and perhaps of remuneration to the sub-sheriff, for temporary delay and accommodation.

107. Do you not consider that a reformation with respect to enforcing writs would be a most important object for the general welfare of Ireland?—I do conceive it would be an important measure.

108. Has it occurred to you in what manner such a reformation might be brought about?—I am not prepared to answer that question at this moment, not having directed my attention to the subject for several years past; but I perfectly recollect its being a practice in many counties in Ireland for one individual, by himself, or by his clerk, constantly to execute the office of sub-sheriff; a practice which must lead to great abuses in that office.

109. Have you ever known the execution of a writ postponed, by the management of a sub-sheriff, to a distant period?—Frequently.

110. Has not the practice prevailed sometimes to such an extent as to defeat the ends of justice?—I conceive so.

111. You have stated that the prejudices which prevail in this country against the landed security in Ireland are, in part, owing to the unsettled state of that country?—I conceive that very erroneous impressions exist in this country with respect to the real state of Ireland, it being but too generally inferred, from the partial outrages committed in particular counties, that the whole country is on the verge of insurrection and rebellion, and consequently it must be very difficult to prevail upon the moneyed men to invest their property in that country, as long as these erroneous impressions exist. Occasional disturbances do occur, which arise from local causes, into the nature and particulars of which I do not feel myself at liberty to enter, as being foreign to the subject under the consideration of the committee. My conviction, however, is that these outrages, which have made so deep an impression in this country, are not of that formidable character which ought to deter the English capitalist from vesting his property in Irish security, and that an efficient police, appointed, not by the grand juries or magistrates of Ireland, but subject to their control, would effectually suppress and prevent these outrages, and insure that perfect tranquillity so necessary to induce residence on the part of the landed proprietor and the employment of capital by the moneyed men.

112. Is the police provided by the peace preservation bill such as that which you mean to describe?—Upon the same principle, but by no means so expensive; because such a police generally established throughout the country need not, comparatively speaking, be at all so numerous as that which is now rendered necessary under the peace preservation bill in disturbed districts.

113. Is it therefore your opinion that the unsettled state of Ireland is, in a great degree, to be attributed to the defective state of the present system of county police?—Certainly.

114. If an increased capital could be brought into Ireland, would it not operate beneficially for that country and for Great Britain also?—Most certainly; for Ireland possesses great natural advantages, and a redundant and distressed population, which can only be relieved by the exercise of capital in productive labor, and the fruit of such labor must be highly beneficial to the empire at large, by enabling Ireland to sustain her fair proportion of taxation, which, without adequate capital, and the productive employment of her people, she will never be able to do.

115. Do you know of any manufactures that have failed, or been suspended in Ireland, for want of capital?—I conceive that most of the manufactures in Ireland are, at this moment, languishing for want of adequate capital; and I believe that several of the ablest of artisans and manufacturers have, in consequence, either emigrated or are disposed to emigrate to America.

116. You have stated that it is principally owing to the supposed unsettled state of Ireland, and the apprehension of insurrection in that country, that it is so extremely difficult to borrow money in Great Britain for Ireland; do you happen to know if the borrowers of money in Ireland are as regular in fulfilling their engagements as they are in this country?—I believe, in cases of annuity, they are not.

117. Then their want of regularity in this respect must be a principal reason for their not obtaining the money?—Such want of regularity must have made an unfavorable impression; but I have known loans to be repeatedly refused, upon undoubted security, although the punctual payment of the interest had been offered to be guaranteed by a banking house in London.

118. You have already stated your impressions that the repeal of the usury laws would be beneficial to Ireland; do you mean by that opinion an immediate repeal?—I think the repeal of the usury laws in Ireland to take immediate effect might be attended with hazard; for the real operation of that measure will not be instantaneously comprehended by the great body of creditors, whose avarice might tempt them to make demands which, from being unexpected, might cause the most serious inconvenience to their debtors; such inconvenience might indeed be effectually guarded against, by allowing the Bank of Ireland to increase their capital, for the express purpose of applying such increase in assisting the landed interest with loans upon mortgage, at a fair rate of interest, in a moment of unexpected pressure and difficulty; and I consider myself well warranted in supposing that the landed interest would derive most material advantage from such a measure, being aware of the great benefit derived by the commercial interest from well-timed aid afforded by the bank during periods of sudden and unexpected distress.

119. Are you aware that the Bank of England is restricted from lending money upon mortgage?—I am not aware that it is restricted; but it may be beneficial that the Bank of England should be under restriction, and that it should be otherwise with respect to the Bank of Ireland. I conceive capital so abounds in the hands of private individuals in Great Britain as to render the bank of the nation an unnecessary resource during the continuance of peace; whereas from the want of capital existing among private individuals in Ireland, and the attempts that may in consequence be made to exact unreasonable terms in case of the repeal of the usury laws, the Bank of Ireland would constitute a

very beneficial resource, and be the means of checking all unreasonable demand for the use of money.

120. Is it your opinion that the repeal of the usury laws would of itself have the effect of transferring British capital to Ireland?—I think the repeal of these laws would most materially contribute to produce such an effect, because I consider Ireland presents a most favorable field for the employment of capital.

121. How do the usury laws prevent that transfer at present?—I conceive, from the cheapness of labor, that a man engaged in manufacture in Ireland could, in many instances, afford to pay a higher rate than the established rate of interest in that country, and that the price which he could afford to pay for money would be an inducement to the British capitalist to assist the Irish trader and manufacturer when he could do so without the fear of penal laws.

122. Is the practice of raising money in Ireland by annuities increased?—I apprehend it is, and upon terms more injurious than in England.

Mercurii, 6° *die Maii*, 1818.

Mr. Serjeant Onslow in the chair.

Mr. Anthony Goodeve, solicitor, called in and examined:

123. You are solicitor for the Sun Fire Office?—I am.

124. Have they been in the habit, and when did they commence the habit, of purchasing annuities?—I never knew them lend money upon annuities till within these last three years.

125. Have they done that to any extent?—Within that time they have to a very considerable extent.

126. Have they lent money upon annuities only to life-holders, or to persons having greater interest in estates?—Certainly, upon fee-simple estates.

127. In your opinion, has or has not that practice been produced or augmented by the usury laws?—I think it has.

128. You are also a solicitor in very respectable practice; has there, or has there not, been great difficulty in obtaining money upon mortgage during the last war?—As far as my experience goes, there has been a very great difficulty.

129. Has it not been owing to particular circumstances, applicable to particular times during the war, that people have applied to these means for getting money?—I know of no other particular circumstances than the scarcity of money.

130. Was it not particularly the landed interest who have applied to these means?—As far as my experience goes, unquestionably.

Mr. Rowland Wimburn, solicitor, called in and examined:

131. You are a partner in a house of the first eminence, and of long standing?—I am.

132. Has your house had the transaction of many annuities?—A great many.

133. When you first knew that practice, was it not chiefly confined to mere lifeholders granting annuities?—Almost exclusively.

134. Has the practice varied of late years?—Of late years there has been no money to be obtained upon mortgage; unless it has been trust moneys, or moneys which under the powers of settlement are directed to be laid out on mortgage, under the direction of the court of chancery; and whenever moneys of that kind have been able to be obtained, very large sums of money, I believe, and indeed I know, have been given for the procuration, under the name of the bill of costs.

135. Have many annuities been granted by persons possessing estates in fee-simple?—Latterly, a great number; almost always, upon occasions of that kind, they postpone their application till they are driven into a corner in point of time, and it is very seldom indeed that their situation will admit of that kind of inquiry and delay, as to procure mortgage money on the best of terms.

136. Have or have not the usury laws, during the times of pecuniary distress, occasioned a great number of annuities to be granted by persons having estates in fee-simple?—Undoubtedly, that must have been the result.

Jovis, 7° *die Maii*, 1818.

Mr. Serjeant Onslow in the chair.

Mr. Nehemiah M. Rothschild called in and examined:

137. Have you had any opportunity of observing the operation of the usury laws upon the money market?—I have.

138. Are you acquainted with the laws of Holland in that respect?—I am.

139. Are there any usury laws in Holland?—There are not.

140. Are you acquainted with Hambro'?—Yes.

141. Are there laws against usury there?—No.

142. In the Hanse towns?—In Bremen there is no law; but I believe in Frankfort there is a law limiting the rate of interest to five per cent. upon real security, but upon the discount of bills there is no limit.

143. What is the usual average rate of discount in Holland upon the best bills?—From three to four per cent.

144. Does the rate of interest upon best bills vary very considerably?—No, not much.

145. How high did you ever know it?—Before the bank was established they discounted at six per cent.; but there is a bank established, called the Netherlands Bank, which always keeps the discount to five per cent.

146. Is the committee to understand that in Holland the discount on good bills of exchange never exceeds five per cent.?—Never; the bank takes them at that price.

147. Therefore, according to that statement, it would seem that the bank of Holland is the regulator of interest throughout Holland?—At present it is.

148. What is the present rate of interest in Holland?—It is now at four per cent.

149. What has been the least rate of interest within these two years?—I have discounted at about two and a half.

150. To what causes do you attribute the high or the low rate of interest in Holland?—It depends entirely upon commercial business; if there are large importations of corn from the Baltic or America, or of any other commodity, there are a great number of bills coming in, and then the discount gets up.

151. What is the interest upon second and third rate bills?—They are not to be discounted at all, unless by friends or relations.

152. To what do you impute that they will not discount a second-rate bill?—Because the money lies in few hands.

153. Then you think that the difficulty of procuring discounts is much increased by the want of competition in the discounters?—It is.

154. There is a pride in Holland which induces the first houses to limit their paper, and to confine their discounts to bills of the first class?—Yes.

155. Do you mean to say that second-rate bills are scarcely ever discounted in Holland?—Yes.

156. Do you confine this to Amsterdam, or do you speak of Holland generally?—Of Holland generally.

157. Are you acquainted with the general rate of interest in Holland upon landed estates and other securities?—With the rate of interest upon landed estates I am not acquainted; but on government securities, whether Dutch or otherwise, there is no limitation.

158. Do you mean that upon depositing a security of foreign stock or foreign

obligations you may have such a rate of interest as the parties agree upon, without limit?—Yes.

159. What is the average rate upon perfectly good foreign government securities, with the addition of the security of the borrower, the borrower being of undoubted solidity?—You can get it at three or four per cent.

160. Is not the rate proportioned to the idea of the risk?—The interest to be paid is according to the risk.

161. Is it a common thing in Holland for individuals out of trade to borrow money upon bond?—No.

162. Are you acquainted with the laws which affect the rate of interest in France?—A little.

163. What are they?—They cannot by law take more than six per cent. in France; but by practice they give you a bonus before, and there is no law to call upon a man to swear to the fact of such a transaction.

164. Are you speaking of the law as it now stands?—I speak of the law by the code Napoleon.

165. You mean what is called the conventional law?—Yes; but in the funds there is no limit to the rate of interest; like the continuations in England, there is no limit, with this exception, that in France they are legal, and in England they are not.

166. Have you known, in the course of your experience, of any action being brought in any of the courts of law in France against any individual for a breach of the usury laws?—A case has lately happened in Paris; a person borrowed money upon landed property, when the solicitor called upon made out the deeds for the interest at six per cent., but the man who borrowed it privately gave a bonus to the party lending; but if the man who borrows the money comes forward and swears that he has given a bonus he is not believed; he must bring a witness who saw the case done.

167. What is the general rate of interest in France?—Five per cent.; because the bank keeps everything in check. The Bank of France lends money upon specie and upon bills at a rate never exceeding five per cent.

168. Is that the average rate of interest?—It is now five per cent., but about three years they discounted at four per cent., owing to the great increase of business.

169. Then you think that interest depends very much upon profits?—Certainly.

170 How otherwise does the Bank of France regulate the rate of interest?—The Bank of France regulates the interest of money by discounting at five per cent., and by lending upon deposits of bullion for not less than 14 days, but bills are discounted for any time less than three months.

171. Are you acquainted with the general rate of interest at the different commercial places in France?—No; but I should suppose that the general rate of Paris regulates everything.

172. Are you acquainted with the rate of interest upon the security of real estates, and upon land and houses?—The interest is five per cent.; but it is generally accompanied by a premium privately taken.

173. From your long residence and experience you are particularly well acquainted with the rates of interest which generally prevail in Frankfort and the other commercial towns upon the Rhine; will you have the goodness to state to the committee what you know upon that subject?—The interest upon the commercial towns on the Rhine, as far as Cologne, regulates itself, to Amsterdam, and, further up, to Frankfort. The rate of interest upon landed property and houses in Frankfort is from four to five per cent., but without any premium; but bills are discounted in Frankfort at four, five, six, and seven per cent., according to the risk.

174. There are no restrictive laws there?—Not in the bill line; the current

interest is to be collected, upon bills of exchange, from the price current, from which it will be seen that it varies from three to eight per cent., and it has been as high as twelve per cent. I am speaking of the general practice within the last twenty years.

175. Do you know whether there are any usury laws in Hambro'?—There are, but they are not enforced; the regular course is to take not more than five per cent. upon landed security; but the laws are evaded by a premium being given. Upon bills of exchange any discount may be taken.

176. Then you think that the high rate of interest is rather a proof of the prosperity of a State than of its adversity?—I think the principle may sometimes be true; as, for example, in transactions which at present prevail between Hambro' and St. Petersburgh, when silver is withdrawn from the bank, consequently making a scarcity of bank money by transmitting it for an object of profit to Russia, which may increase the price of the discount; but, as applicable to trade in general, I should say that periods when discounts at Hambro' have been highest, have been periods of commercial difficulty, attended with failures.

177. Are you acquainted with the laws which regulate the value of money in Prussia?—Yes; upon landed property it is five per cent., but upon bills and other obligations as much may be taken as can be got.

178. In Austria?—In Austria the bank gives six per cent., but upon private bills it is the same as in Prussia.

179. In Augsburg?—That is what is called an accommodation place; every one may draw upon Augsburg, but Augsburg is not in the practice of accepting bills, and it is the same with Leipsic. Fourteen days before the bill becomes due the party is obliged to give an answer, and no protest for non-acceptance can be made previous to that time. Money is frequently scarce, because there is a great number of bills becoming due at once, by which means, from the shortness of notice, the discount is sometimes six, seven, or eight per cent., but also it is sometimes as low as three per cent.

180. Is the mode of raising money by way of annuity known in the different places to which your evidence refers?—No; it is not known at all.

181. Do you know any country where usury laws exist, and where they are not evaded?—I have already stated that I am not aware of any country where the usury laws are not evaded.

182. Are you not of opinion that the usury laws are ineffectual in keeping down the rate of interest?—Yes; certainly.

183. Are you acquainted with any disadvantages which affect trade generally in those places upon the continent to which you refer from the non-prevalence of the usury laws, as referable particularly to the discount of bills?—I am not aware of any inconvenience.

184. Have you found those restrictions injurious to the discount of bills?—Not in a commercial point of view.

185. You could always discount good bills at five per cent.—that is, without any deposit being placed?—Certainly.

186. To what do you impute that bills could be discounted at five per cent., when money could not be obtained upon the best landed securites at that rate?—First, upon bills, they can always be sent into the bank; the owner who discounts can always re-discount them at the Bank of England, at any time when he wants the money.

187. Have you ever considered the general operation of the usury laws, as bearing upon the value of the money in England?—Yes, I have considered it, but I would beg leave to take this opportunity of delivering my sentiments in writing.

[*The witness delivered in the following paper, which was read:*]

"I think the operation of the usury laws, as bearing upon the value of money in England, of great importance to tradesmen. In this country it is different to those on the continent; a bill drawn upon such persons is seldom if ever seen, while in this country they abound, and are doubtless a great and necessary accommodation to that part of the community. Small manufacturers likewise derive many advantages from this kind of assistance, as many of them have friends, or a confidential person in town, on whom they draw at short dates, against their goods sent to the London market; these bills become negotiable at the legal rate of five per cent. discount, which enables such persons to carry on their concern, not only with more facility and advantage, but to a much greater extent. It is impossible for me to say positively what would be the consequence to these, and many others of similar description, were the usury laws repealed; but I believe great advantage would in many cases be taken of the necessities of such persons, by the lender demanding, probably, two or three times the rate of interest from them on their security, as would be required in discounting the bills of first and second-rate houses; therefore it appears to me, that the less opulent should be protected in some way from being exposed to so great a reduction in their profits, through the necessity of turning their capitals, by immediately discounting their drafts at an extravagant rate, those persons not having hitherto had much difficulty in discounting their bills at the legal rate of five per cent. discount

"N. M. ROTHSCHILD."

VENERIS, 8° *Die Maii*, 1818.

Mr. Serjeant Onslow in the chair.

Warner Phipps, esq., called in and examined:

188. You are the secretary to the Albion Fire and Life Insurance Company?—I am.

189. Has that company been in the habit of lending money upon annuities?—Yes, for some years past; I think during about the last 11 years.

190. Have they confined those loans to persons having only a lifehold interest, or to persons having estates in fee-simple?—Loans have been made on properties of both descriptions, and at rates of annuity suited, of course, to the respective natures of each.

191. What has been the usual rate upon estates in fee-simple?—The rate of annuity on fee-simple estates, and in other cases, has been dependent, in some degree, on the state of the money market at the time; from the year 1808 to the year 1816, the terms on which annuities on fee-simple estates were bought were commonly 10 per cent., including the proportion necessary to cover the property tax, which, of course, was returned or deducted.

192. Upon how many lives?—On three lives, for a fee-simple estate, named by the company as grantees of the annuity; the terms of such an annuity were made up of three ingredients: the rate of interest, which was in general eight per cent.; the life insurance, which, for three lives, was taken at one per cent.; and then one per cent. was added, being one-ninth upon the two first items, and producing enough to cover a return of one-tenth on the whole for property tax. The same rate of interest, that is, eight per cent. or thereabouts, was in general taken on approved securities, subject to single life contingencies, with an addition for life insurance, according to the nature of those contingencies; and also with one-ninth added, to cover the deduction to be made for property tax.

193. Who paid the bill of costs of the transaction?—The borrower, constantly.

194. Do you know whether the costs were very heavy?—In some instances they were heavy; but it was because the investigation of the securities made a large expense unavoidable. The securities were always prepared by the solici-

tors of the company; and it was matter of strict injunction on them that no expense of consequence should be incurred without the knowledge and acquiescence of the person borrowing the money.

195. In the present state of the money market, would not the company be desirous to lend on mortgage at five per cent.?—Certainly; from the alteration in the state of the money market the company would now very gladly lend large sums of money on mortgage at five per cent.

196. Can they find those mortgages?—The difficulty of finding proper securities in the way of mortgage, at five per cent., is at the present moment very great indeed.

197. Was it at any particular period of the late war that there was an extreme difficulty in procuring money on mortgage?—For several years; for the period of, I think, six or seven years, mortgages were not to be obtained; the term "mortgage" had almost become obsolete.

198. During that time you had a great number of applications for the loan of money upon annuities?—There were a great number of applications.

199. Had there been no usury laws in existence, do you think the difficulty would have been so great?—I believe the difficulty of borrowing would, in that case, have been much diminished; I have reason to think so, because, before I entered on my present occupation, I held, for some years, a confidential situation in one of the first banking-houses in the city of London. From the habits of my life at that time I know there was, on the part of bankers and other capitalists, not merely an apprehension, but almost a horror, of any annuity transaction, or of any money transaction, so contrived as to produce an interest of more than five per cent. When I became connected with the business of life insurance I saw that there was a great number of persons of consideration whose circumstances required assistance; who had good securities to offer; and who were deprived of the ready means of obtaining assistance from the prejudice against annuities—that is, because bankers and others did not choose to lend money on such securities, under the circumstances of the moment, at five per cent.; and because, from the impressions produced by the usury laws, they shrunk from the idea of a transaction affording more. I then became persuaded that, under the existence of the usury laws, men of opulence and respectability could not employ a portion of their wealth with more advantage to the public than by making advances on safe annuities, on such terms as should be suited to the actual state of the money market; and that, by such advances, many embarrassed persons might be taken out of the hands of the dangerous description of people who then preyed upon them, in the way of annuity brokers, or pretended money lenders. This impression rapidly gained ground about the time I mention, and very large advances on annuity were soon made from the funds of insurance companies, and from other respectable quarters. If the usury laws, however, had not existed, I am persuaded that bankers and others would have supplied the wants of many persons of the description I have spoken of.

200. You mean at a lower rate?—On terms suited to the actual state of the money market, but less burdensome than those which must attend an annuity transaction, and which was then almost the only mode by which the possessors of money could safely obtain an interest suited to the real state of the market.

201. If the prejudices arising from the usury laws were removed, and if the charges attending loans by annuity were as reasonable as they are upon loans by mortgage, would not the general introduction of the annuity system operate as a virtual repeal of the usury laws?—I conceive not; because a loan on annuity must always be accompanied with two descriptions of expense. There must be an addition equal to the value of the life contingency; and the rate of interest itself will be always higher upon a loan on annuity than upon a loan in the way of mortgage; because the money lent on annuity is not capable of being called in by the lender, but is at the disposal of the borrower.

202. Is not this latter circumstance a full recompense for the higher rate of expense?—Of course it acts as an equivalent if it be necessary to the purposes of the borrower. I should add, that during the 13 years that I have been accustomed to my present duties, and guided by my experience in my former occupation, I have had repeated occasion, before the discussion of the usury laws arose, to perceive that those laws were attended with great prejudice to the interests of society. I mean to say, it became plain to me that, whenever money was scarce, those who had it, and were determined to turn it to the best account, would not part with it to those who wanted it, without, sooner or later, devising some mode of obtaining a compensation suited to the actual state of the market, in despite of the usury laws; and which mode might be more burdensome to the borrower than any interest he would be likely to be subjected to, if there were no usury laws. When money is plentiful, persons, of course, will always very gladly lend it at a low rate of interest.

203. You cannot speak of the actual state of the money market during the last 11 years, except as far as regards the loan of money belonging to your own office?—Certainly I can. The intercourse I have had with persons having occasion for money has shown to me, from time to time, in a marked degree, the state of the money market. I should have had constant occasion to possess myself of that knowledge, had it not been forcing itself upon me from the applications occasioned by the state of the market; because the terms which it became necessary for the company to propose were always, in some degree, dependent on the state of the market. I have stated in the former part of my evidence that the terms on which annuities were taken by the Albion Company involved the addition of one-ninth to cover the property tax, which was to be deducted upon the whole annuity in the proportion to one-tenth. But as the property tax has ceased, I think it right to add, that although the company were not bound to continue the deduction of the one-tenth included for property tax, still the directors have thought it just to continue that deduction wherever the addition for the property tax had been so included.

204. Were not the annuities you speak of, as granted on estates in fee-simple, redeemable annuities?—Invariably.

205. Are you aware that the legal rate of interest in Ireland is six per cent.?—I am.

206. Has your office made any loans upon Irish securities?—In no instance.

207. If the usury laws were repealed, which limit the rate of interest to six per cent., might not the higher rate of interest induce the capitalists in this country to lend their money upon Irish landed security?—There are many capitalists in this country, and some of the insurance companies, (the Globe Company, I believe, in particular,) who have lent large sums upon Irish securities; but the Albion Company in no instance has made, or I believe will make, any advance on that description of security.

208. Can you state to the committee what are the usual objections that prevail in this country to lending money upon Irish security?—The strong doubt that exists as to the possibility of enforcing the security, in many such cases, if it became necessary.

209. You mean through the failure of the execution of the laws in regard to the execution of writs?—I mean from the apprehension that is entertained as to an insufficient power of carrying judgments into execution in certain parts of Ireland.

210. Does it come under your knowledge that those who have lent money on Irish security have had any reason to repent of it?—I cannot answer that question from actual knowledge, because I have not been concerned in any such dealings; but from repeated intimations I have received I have the strongest reason to believe that loss has been incurred by lenders of money on Irish securities, from the cause I have mentioned.

211. Are you aware that an entire change has been made by the Irish government in the system of appointing sheriffs in Ireland?—I am not.

212. Does it come under your knowledge that the discredit of Irish securities is owing, in any degree, to the defective state of the civil police of Ireland?—I certainly have reason to believe that the defective state of the police, in some parts of Ireland, has given occasion to the losses which I have mentioned, and in part to the apprehensions which I know exist as to the safety of securities on property in that country. I have myself, when I have been in Ireland, heard, in the court of chancery, a report made from a sheriff that he did not dare to carry some particular process of that or of some other court into execution. I heard the chancellor say that "the sheriff must have more nerve, and must try again."

Samuel Gurney, esq., called in and examined:

213. What are you?—A bill-broker.

214. What is the business of a bill-broker?—It is to get bills discounted for those who want money, with those who have money to spare.

215. How long have you been in that business?—Between eleven and twelve years.

216. Do you recollect any period when the Bank of England have narrowed their discounts?—I do not recollect that period.

217. Have you always found it easy to discount bills at five per cent.?—Not at all times easy.

218. What was the period when you did not find it easy?—I particularly allude to the year 1815, when government drew much larger supplies than they had ever done before from the money market. In that year there was a very great difficulty in getting bills discounted at five per cent., but with that exception I think there has been but little difficulty.

219. You were not in business before the act for restraining the Bank of England from paying in cash?—No, I was not.

220. Did not the commercial world experience in that particular year considerable inconvenience from the difficulty of obtaining money at five per cent.?—Yes, in that year, most undoubtedly.

221. Do you not conceive that bankers and other moneyed capitalists would have been induced to discount had it been legal to take a higher rate of interest?—Certainly.

222. Do you not conceive, therefore, that the usury laws operated at that period very disadvantageously to the public interest?—I conceive, in that year, that they did.

223. And would they not do so at all periods of equal scarcity?—I should presume that the same cause would equally produce the same effect.

224. Do you not believe that merchants and other traders are frequently driven to dispose of their goods at very disadvantageous prices from not being able to borrow money at above five per cent., and which they would have been able to do were it not for the usury laws?—I doubt whether that has been the case to any material degree, except in the peculiar pressure to which I have before alluded. During that year the difficulties in the mercantile world were very much increased by the high rate of interest which could be legally made on the stock exchange.

225. Whenever it happens, from particular circumstances, that a higher rate of interest can be made at the stock exchange than the legal rate, a great restriction will ensue upon the accommodation of loans by discount to those who hold bills?—I consider that would depend upon whether the high value of money on the stock exchange lasted for a considerable time, as it did in that year, or occurred only occasionally for a short period.

226. May not this restriction occasionally contribute very much to produce

great distress in the commercial world?—With the exception of that year, I have not been aware of any such injury.

227. Are not the usury laws continually evaded by the buyers and sellers of goods making so great a difference in price for the goods sold upon credit, and for money, as to amount to far more than five per cent.?—There is often a very considerable difference in the money price for goods and that for credit, so as to exceed a calculation of interest at the rate of five per cent. per annum; but I do not think it can be called an evasion of the usury laws.

228. Can proceedings of this nature be so generally practiced as, in your opinion, to afford a substitute for the accommodation of discounts?—I should think not, as a bill of exchange is so totally different from other securities, especially from those upon goods.

229. Is not the general business of trade carried on for the most part by a system of continual discount, particularly among manufacturers?—Undoubtedly it is materially aided by it; but there are many so opulent that they want no discount.

230. If there had been no usury laws in the year to which you allude, as one of particular difficulty, would money have been got at a higher rate to a sufficient extent to relieve the mercantile pressure, and at what rate?—I should think sufficient could not have been got to relieve the mercantile pressure in that year.

231. Did many mercantile failures take place when the houses had actually good bills in their possession, in consequence of the difficulty of discounting these good bills?—It is a very difficult question to answer fully; but I think not, because when a person's existence, as a commercial man, was at stake, no one would allow their own friends and connexions to be ruined, merely to save themselves from a disadvantage in the rate of interest.

232. What year was that to which you allude?—The year 1815.

233. You say that sufficient would not have been had; would it much have alleviated the difficulties?—I think it would.

234. Do you know of any other cause that occasioned the high rate of money in that year, except the demands of government?—I do not think there was any other cause that came within my observation.

235. Among the commercial body with whom you have intercourse, do you hear the usury laws complained of?—I do not hear them complained of in the mercantile body with which I am connected.

236. What effect do you suppose the repeal of them would occasion upon the feelings and conduct of commercial men?—In the present state of the value of money, I conceive it would have very little effect on their feelings and conduct, money not being worth five per cent.

237. But as a system, applicable to all times, how do you suppose it would operate?—I conceive that among the opulent and larger merchants, and the bankers in London, very little inconvenience would result from it; but to the smaller merchants, and to the smaller and manufacturing towns in the kingdom, where the money circulation goes through the hands of a few individuals, it would give to those individuals a very great power, which might be injurious to the community.

238. Would not the dealings in money in those places to which you allude be governed by the same principles of competition which govern all other dealings?—The money circulation, in the towns to which I allude, being in the hands of much fewer individuals, I should think it would not receive so much benefit from competition as in the metropolis.

239. Do you not conceive that the poorer classes of manufacturers are very often exceedingly distressed in consequence of not being able to raise money, owing to the limits provided by the usury laws?—I have not had much experience as to the state of the small manufacturers in the country, but from what

I know of the means through which the circulation in the country is managed I should think there had not been a great inconvenience felt.

240. Do you not think that an unrestrained competition would have the effect of producing a plenty?—Generally speaking, I doubt whether it would have that effect.

241. What is the common and ordinary manner in which country bankers employ their funds?—Mostly in government securities, but many in bills of exchange, and some few on mortgages, and in advances to the agricultural interests; but experience has shown that the former method is not desirable in consequence of those securities fluctuating so greatly in value, and also that the two latter (mortgages and advances to the agricultural interest) have caused the ruin of many bankers, from the impossibility of calling them in on sudden emergencies.

242. Are not their surplus balances, in general, remitted to their London correspondents for employment?—Yes, they are.

243. Would the abrogation of the usury laws produce any, and what, effect upon the operations of government, in the money market?—I conceive, but little; because they have not been bound by the usury laws in their bargains with the public.

244 But might it not happen, in times of scarcity, that individual competition, without a restrained rate of interest, might absorb so much of capital as to render the transactions of the government not only more difficult, but obtained at a higher rate of interest?—I doubt whether it would render their operations more difficult, but certainly they would have to pay a higher rate of interest.

245. If there existed no statute of limitation as to interest, would it not be the means of landed property changing hands more frequently than it does now?—I should think it would.

246. Would it not frequently make the sale of land unnecessary?—It undoubtedly would frequently have that effect, by enabling the party to borrow money on their land, instead of selling it; but such a facility would give the landholder so great a power to raise capital upon his estates, that it would very often be embarked in other directions, and eventually he would be forced to sell his land.

247. If the committee understand you right, your opinion is, that the more easy means of obtaining loans of money would induce the extravagant and inconsiderate to get more largely in debt than by the existing laws they are enabled to do?—My experience has not much led me to know the operations of money upon landed property, but I should think it must have, very decidedly, that effect.

248. Do not persons of extravagant dispositions constantly find means of evading the usury laws by borrowing money upon annuities or selling their landed property?—The usury laws have been frequently evaded by borrowing money upon annuities, but still the public opinion is so much against such transactions that I doubt whether the extent of their operation is nearly so general as would be the case were the limit as to the value of money removed. I consider the operation of the evasion of the usury laws to be partial.

249. Do you not conceive that the usury laws drive persons of extravagant dispositions from the respectable money lenders into the hands of usurious money lenders of bad character?—I conceive that they do, but that it is only the very imprudent that would have resort to such means of raising money, and consequently the operation of raising money by way of annuity, as I said before, is not so general as the raising of money upon mortgage simply would be if the means of doing so were facilitated.

250. You think that there would always be as much difficulty in raising money upon mortgage as there would be in raising money by way of annuity?—No, I think not; if you take away the statute of usury, then it would become perfectly

easy, and it would also become, in the eye of the world, respectable to borrow money upon mortgage, or any other security, on the best terms possible.

251. From the consideration which you have given to this subject, is it your opinion that any distinct and different principle would be expedient on the part of the legislature to apply to the trading part of the community and to the landed?—I really do not feel quite competent to answer that question without considering it more fully, but I consider that it is possible that the rule which may be wholesome to the landed interest may be injurious to the other.

252. Do you not think that it frequently happens that mercantile men have opportunities of making far more than five per cent. by mercantile transactions which they are deprived from carrying into effect by not being able to borrow money at above that rate?—I consider that such cases do arise, but whether in themselves they are desirable to encourage I have very great doubts.

253. Do you conceive that any prudent mercantile man, in consequence of the usury laws, is impeded from raising money to an extent proportioned to his natural means, for the purpose of carrying into effect any mercantile operation?—I think not; because I consider that no prudent man will borrow money at a high rate of interest to carry on speculations in trade beyond what he has means of his own to conduct.

254. Do you not think that it would answer with many prudent men to borrow money at the rate of six per cent. as a permanent capital to carry on his business as a merchant or manufacturer?—I consider that, as a permanent capital, it may very frequently be worth their while, and desirable for prudent men to do it.

255. Do you not think that the average profits of trade are such that prudent mercantile men can afford to pay six per cent. interest for a permanent capital?—The general profits of trade would warrant their paying six per cent. interest for money.

256. Do you think, from your experience in money transactions, or are you of opinion that a repeal of the usury laws would tend to raise the rate of interest above five per cent., or to lower it?—My experience having been during a time of war, I think the operation would have been to have increased the rate of interest.

257. In forming that opinion, do you take into your consideration the sums which have been made from evading the laws, both in the shape of premiums given to solicitors and others, and the high rate of interest paid for annuities?—My answer I meant to apply chiefly to the mercantile body, where I do not think such premiums have been given; I form that opinion from a knowledge that money has actually been worth rather more than five per cent.; but the lender of money has been forced to be satisfied with it, and the borrower has got it at a more reasonable rate in consequence.

258. Do you think that if the rate of interest had been unlimited that bankers would have so generally charged five per cent., as they do at present?—I conceive that if the value of money had been allowed to fluctuate according to its real value, the bankers now would have been forced to discount at four per cent. instead of five—that is, to follow the course of the market, and the bank likewise.

Mercurii, 13° *die Maii*, 1818.

John Irving, esq., in the chair.

Mr. James Gibbs called in and examined:

259. What is your profession?—I am an attorney.

260. You are connected with Mr. Howard?—I am.

261. What is the firm of your house?—Howard & Gibbs, resident at Cork street, Burlington gardens.

262. Has it occurred to you, in the course of your practice, to obtain money upon loan; and if so, be pleased to state to the committee the general nature of your practice in such dealings?—The sums that we have obtained have been generally by way of annuity, with very few exceptions, but very largely by way of annuity.

263. Can you produce to the committee any statement by which they can judge of the extent of your dealings in the course of a year?—I am not prepared with it at present, but I could furnish the committee with a very correct statement.

264. Can you do so from memory?—It is impossible.

265. To what class of persons in general have you been agent for the procuring loans of money?—Persons in all situations in life; almost all persons in a situation to give good security for money; many in very opulent situations, and many in the very reverse, but still in a situation to give security for money.

266. Is it your own money you lend, or the money of your clients?—The money of our clients.

267. What description of clients are those?—Gentlemen, tradesmen, men who have been tradesmen and retired from business, and in many instances females.

268. Servants at any time?—Some years ago that used to be the case, but not now; we have altered our connexion within the last eight or nine years very materially; in some instances it does happen now, but very few.

269. Describe to the committee the nature of the security upon which you make such loans of money?—On freehold security, either where the parties are entitled in fee or to a life estate only; copyhold securities, leasehold securities, charges on money in the funds, advowsons; in fact, personal securities where the parties are known to us.

270. Any considerable proportion on personal security only?—Very considerable.

271. Upon securities which you have stated, has it been your practice to procure loans of money at the interest of five per cent., or have you done it at a higher rate of interest?—I do not think we were ever concerned in more than eight or ten negotiations where money was lent on mortgage; we have been concerned by way of annuity generally.

272. At what rate of interest?—That depends a great deal upon the security; indeed altogether upon the security; if freehold security is offered to us, the person being entitled in fee, the money has been obtained at seven and a half, eight, nine and ten per cent., and even at a higher rate of interest, on such a security as that, when money has been scarce.

273. You mean for the security upon payment of the interest only?—That the interest has been seven and a half, eight, nine and ten per cent. upon such a security, where a person has been in such a situation to grant an annuity for lives.

274. How many lives?—Three, sometimes four; never more.

275. How high a rate of interest have you at any time known to be paid in the way of annuity?—I have known 19 per cent. where the parties have been extremely aged, and have had a life interest only.

276. Do you mean to state it is with reference to age, and not to security?—With reference to the age, supposing the security undeniable and the person borrowing the money extremely aged, the rate of interest would be considerably enhanced in consequence, as the rate of insurance would be extremely high.

277. You mean an annuity for his own life?—Yes.

278. And that being a very aged one?—Yes.

279. But supposing the annuity to be upon three or four lives, as you have stated, what is the highest rate of interest you have known to be paid?—Twelve per cent, I think.

280. The borrower insuring the life?—There is no insurance necessary in a case of that kind, till two out of three lives, or three out of four lives, drop.

281. Does it come within your knowledge that the practice exists of different parties joining in an annuity, and that those parties divide the sum so obtained?—It is not a matter likely to come to our knowledge at all.

282. Do you know it in point of fact?—To say I do not know it would be incorrect; I know it, from the circumstance of being concerned for the purchaser of an annuity, when a motion was made in the King's Bench for a rule to show cause why his annuity should not be set aside, on the ground that one of the parties, stated in the memorial to have received the money, made an affidavit he had not received any part of it. Now the fact in that case was, that the money was paid to three grantors, and the impression on my mind is that they divided the money; but in that case a man of the name of Banwell swore that, although it was stated in the memorial that three parties had received the money, he had not received any part of it; it is from such a circumstance as that alone that I can know it.

283. Do you mean to state to the committee that this is the only instance within your knowledge of such a practice?—At present I do not recollect any other; and the impression on my mind is, that in many transactions in which we have been concerned, and where there have been joint grantors of an annuity, they have divided the money; I cannot say they have.

284. In the event of £1,000 being borrowed at your house, how much of that money does the borrower receive?—That all depends upon the nature of the security, and the trouble and time taken to make the negotiation.

285. What is your charge for negotiating such a transaction?—Most generally a bill is made out, upon which the charges are regularly made, as in ordinary cases for negotiating a purchase or sale of a property of any description; in many instances a sum is agreed upon to be paid.

286. Have any of your bills ever been referred to the master to be taxed?—They are not taxable; I never knew an instance of one of our bills being disputed; and if it was, I cannot say to what tribunal it would go; I think most likely to a master in chancery.

287. What is your charge in the case of an ordinary security?—We have no regular rule to go by; we can form a judgment when the security is put before us, or when we have gone to a certain extent in it.

288. Be pleased to state to the committee instances of the general practice of your charges, in raising money, as applicable to different circumstances?—In many instances we make out bills, and the amount of those bills depends materially upon the trouble and expense of negotiating those loans; in many instances sums are agreed upon at the commencement of the negotiation; we have received at the rate of five per cent. upon the sum raised, and from that to ten per cent., in many instances.

289. As a compensation for your charges and trouble?—Yes.

290. Which has been the more ordinary charge?—I should think one as often as the other.

291. Is that a compensation for stamps and all other charges?—It includes everything; the fees of enrolling the security under the act, and everything else.

292. Have many of the annuities negotiated by your house been redeemed?—Immense numbers.

293. Did that take place recently, or when money was scarce?—I rather think the redemption of annuities has increased a little within the last six or eight months; certainly they have increased somewhat in that period.

294. But they have always been in progress of redemption?—Yes, always; but the redemption of annuities has increased within this twelvemonth.

295. Has it been the general practice with lenders upon annuity to insure the lives of the annuitants?—Yes.

296. Have you an insurance office at your own house?—We have; it does not belong to us solely, it is established by subscription.

297. State the nature of that office, and who are partners in it—It is impossible I can state every one; it consists of very nearly 200 persons; more than 185.

298. Is it by charter?—No, by deed.

399. In shares?—Yes.

300. Are Mr. Howard and yourself connected with it?—Yes.

301. What proportion of the shares do you hold?—I subscribe £5,000 and Mr. Howard £5,000.

302. How much more is the capital?—The instalments, to be paid on the shares already subscribed for, are ten; four instalments have been fully paid up; the fifth is in the course of payment; and by the 19th of June in the next year the whole instalments will be paid; the capital then really subscribed (we are only called upon to pay a moiety of our shares) will be £50,000, within, I should think, a thousand; I cannot say more exactly to that.

303. By what rate of insurance are the charges of your office regulated?—By the same scale that others are guided by; we principally adhere to the same as the Equitable.

304. In what manner is your capital invested?—It is all in the public funds.

305. Have the persons who generally apply to you for loans of money been extravagant persons who have squandered away the greatest part of their fortunes, or do they consist also of persons who are prudent, but who want money for different purposes?—Of both classes of persons.

306. And persons who have good real security to offer?—Yes.

307. The applications are more frequent from that class of persons, in times of general distress, for money?—I cannot say so; because latterly we have been more seriously engaged in loans of that kind than before.

308. By latterly, do you mean within these twelve months, or these five or six years?—Within the last twelve or eighteen months.

309. How do you account for that circumstance?—I do not know how to account for it; I have not formed any opinion upon the subject; but that certainly is the fact.

310. Do you not conceive that when those persons who have real good security to offer apply to you to borrow money by way of annuity, which is your general mode of lending, that it arises from their being unable to borrow money in the market at the legal rate of five per cent. interest upon that security?—Not always; I have known very many instances where parties, from motives of delicacy, and there may be other reasons I am not apprised of, have preferred borrowing money by way of annuity to applying to their own solicitor or friends for money, by way of mortgage, when they have had security to obtain money at that rate.

311. Does that frequently happen?—Yes, I may say frequently.

312. You mean to state that it frequently happens that a person possessed of an estate in fee-simple or other security applies to you to borrow money upon annuity, rather than borrow it upon mortgage?—Yes; from motives such as I have stated, where parties, rather than apply to their own family connexions, have resorted to us to obtain the money on such security.

313. They apply to you rather than to their own family solicitor?—I have known that to be the reason in many cases, and I conclude it to be the reason in others.

314. Do they then apply to you to borrow money upon mortgage, as they would to their own solicitor?—No.

315. Then you mean to state, that from motives of delicacy or a wish of

secrecy, they apply to you to borrow money upon annuity, rather than go to their own family solicitor to borrow money upon mortgage?—I confine it to their family connexions, their family solicitors, and that only in such cases as have been alluded to.

316. Do you not conceive that a person possessing such a security as that described, borrows money at a much higher rate of interest by borrowing it of you upon annuity, including all charges, than he would do by borrowing it at five per cent. interest?—I think he does.

317. Do you not think that in general it amounts to six per cent. interest?—Certainly.

318. To seven per cent.?—Certainly.

319. To eight per cent.?—No, I should think not, because I have known money lent at seven per cent. by way of annuity.

320. Does it not often happen that where there is a general scarcity of money, persons who would otherwise borrow money upon mortgage are driven into the annuity market?—Yes.

321. Do you not think, if the usury laws did not exist, that many of those persons who are driven to borrow money upon annuity would be able to borrow it at a lower rate of interest, by borrowing it upon mortgage?—As a matter of opinion, I should think not, certainly.

322. Does it not happen that many devices are made use of, by lenders of money, to avoid the usury laws?—I believe such cases occur, but they never occurred with us.

323. When it does occur, do you not conceive that the borrower always pays for the evasion, in some shape or other, and for the risk attending that evasion?—As a matter of opinion, I should think he did.

324. Do you not conceive, that the mode of lending money in which you have most experience has arisen from the usury laws?—I cannot say that, because it has arisen under the annuity act.

325. Do you not think that more persons have recourse to that mode of raising money than otherwise would have recourse to it, provided there were no laws against a higher rate of interest than at present exist?—I should think it likely, but the greater part of the persons who borrow money by way of annuity are borrowers upon life estates, so that they would be compelled to seek, under the existing laws, relief from their wants by way of annuity, as they have not securities for mortgage.

326. In your practice as a solicitor, have you known any instances of the holders of promissory notes and bills of exchange for valuable considerations being defeated in their claims by pleas of usury?—No, not any; I have read of it in the public papers, but I do not know of any.

327. You know the fact to be, that the holder of any negotiable security may, as the law now stands, be defeated by a plea of usury, although that usury had taken place without his knowledge, between previous parties?—I do not know that such a law exists, where it has passed into the hands of a fourth person, that person being an innocent holder.

328. Do you not know that the holder of a bill, however many hands it may have passed through, may be defeated by the proof of usury between the drawer and acceptor?—No; nor should I think that good law at all, unless you could fix a knowledge upon the holder of the bill; I know a case decided, very recently, in opposition to that.

329. Has it been your practice to lend money upon post-obits?—We never negotiated but two.

330. State to the committee the manner in which those transactions were conducted?—Indeed I cannot, it is so long ago.

331. Has it happened to you to know, whether or no that is the general mode of raising money by persons in distressed circumstances?—I believe it is very frequently resorted to; they are repeatedly offered to us.

332. Is it the practice, generally speaking, of persons raising money by annuities to have their lives insured?—Yes, where the annuity is for that person's own life.

333. But in the event of there being three or more lives?—I never knew an instance in that case of their insuring while the three lives were in existence.

334. But when they came within the bounds of two lives, they then insure? I never knew an instance of that; the calculations upon the table of life are so much in favor of the purchaser, that I never knew, in an instance of annuity, two out of three lives fall, but in one instance.

335. Has it never happened to you to know, that a borrower upon three lives has been charged with the premium of insurance?—No.

336. At whose charge is the premium usually paid?—In that case the party purchasing generally takes the chance.

337. Is there no calculation in the price?—No; I never knew an instance of the kind in our practice.

338. What are the general cases that are met by insurance in your office? Where the annuity is granted for a single life, or for the lives of two persons, where the death of either party terminates the interest.

339. In that case, at whose charge is the insurance made?—At the cost of the grantor; he does not pay the insurance, but it is calculated in the terms upon which the annuity is granted.

340. Is there any profit charged upon that calculation; is there any estimate made of the precise sum paid to your office?—To a fraction generally.

341. You have stated that you have been in the habit of lending money for servants and small tradesmen, who have retired; are they liable to much disappointment in the payment of the annuity?—That sometimes happens, but not often.

342. But, as far as your practice goes, there is in general great regularity?—Considering the immense number of transactions that we have been engaged in, great regularity.

343. Then that class of people do not suffer much inconvenience from lending money in that way?—No, they do not, as far as my knowledge goes.

344. You have stated that many persons, from feelings of secrecy, apply to you for the loan of money, and that they do not go to the regular channels to get it; do you suppose the repeal of the usury laws would operate a considerable change in that respect?—I am not prepared to give an opinion upon that subject at all; speaking at the moment, I should think it is very likely to produce the effect spoken of.

345. How do you suppose the repeal of the usury laws would operate upon the general transactions that take place at your office?—That is an opinion I am not at all prepared to give.

346. What do you conceive to have been the average rate of interest you have been able, for the last seven years, to make, for any person offering you money to lend, and saying they would be satisfied with your judgment as to the security?—A good deal depends upon the nature of the security, whether it is a life interest, or whether it is an estate in fee, proposed as a security; in the one, the interest would be considerably less, as there would be no necessity for insurance.

347. What rate of interest have you been able to make for persons content with fair reasonable security, during the last seven years?—About 10 per cent.

348. What is the highest rate you think you have made for any person upon fair good security?—Our transactions have been so numerous, I can scarcely answer the question; but I should think the highest would be about 11 per cent. in both cases.

349. That would be 11 per cent. to the lender?—Yes.

350. How much would that come to to the borrowers, with the charges?—That

depends upon the number of years he would keep it; it would come to about £14 10*s.* or £15 for three years; £15 would be the outside.

Thomas Kemble, esq., called in and examined:

351. You are extensively concerned as a broker in the city of London?—I am, particularly in West India produce.

352. To what length of years does your experience extend?—Two and thirty years.

353. In the course of those years there have been different periods of great difficulty with regard to money?—There have been very great.

354. Does your recollection furnish you with those particular periods? and if so, state them to the committee.—No, really I do not immediately recollect the years; I think 1811 was a very bad year, when there was most distress, and the produce was hardly salable.

355. What are the means generally resorted to by persons having goods incapable of being sold, by which to raise money? Their means generally are to resort to their brokers.

356. In what manner does the broker assist them?—He assists them with money when he has it by him; if not, by the acceptance of the house.

357. On the security of the goods?—Yes.

358. In the event of the goods not being sold at the period when this acceptance becomes due, in what manner does he reimburse himself?—The goods not being sold, and if the broker has not money to spare, it is by renewal of those bills.

359. Have those bills at all times been discountable?—I do not recollect any time, at least within my own time, when they have not been discountable; I do not remember a period of the kind.

360. What are the dates of those bills?—Two or three months.

361. Does your recollection furnish you with the causes which operated, in 1811, to produce the difficulty in the sale of the goods you have stated, and the consequent scarcity of money?—The principal difficulty was in consequence of the prohibitory laws made by France against receiving colonial produce from abroad.

362. Was the consequence a great fall in the price and value of those commodities?—An immense fall; from 1810 to 1811 I should think the fall was 50 per cent., I do not know whether I might not say 70 or 80, but at least 50.

363. What are the causes which generally operate in your market to produce a scarcity of money?—In our market we have particular periods, one is now coming on, when the West India merchants have their West India bills to pay, and their produce not yet brought to market, arrived and not landed, and so on; and for some time after that, there used, at the time I speak of, to be a very great demand for duties, that makes a very material difficulty.

364. The question more particularly refers to the periods to which you have alluded, of extraordinary interruption to the sales of produce?—I am not aware of any great interruption, except what I have mentioned; that interruption does not at present exist.

365. Do you not think mercantile interests are occasionally exposed to very great loss by the sale of their goods being precipitated, from not being able to raise money at the time when they want it?—No doubt they must, because the probability is, that that happens when there is a very dull sale; and he must make great sacrifices.

366. If the present usury laws were abolished, and individuals were not restricted from taking more than five per cent., would they frequently be willing to accommodate the mercantile interest, and prevent such sacrifice in the precipitate sale of the goods?—Decidedly so; in my opinion there would not be a want of money if it was not for the five per cent. interest.

367. How is that generally avoided?—With us the only way to avoid it is

by putting them into the hands of the broker; but the broker cannot always keep those goods; the broker must sell to employ his money again afresh.

368. How does the merchant avoid the usury laws in the course of his dealings?—I am not aware of any practice, or any attempt to avoid them; I am not aware of anything of the kind.

369. Does not the merchant frequently receive consignments of goods upon an advance of money, which without that advance of money would not go into his hands?—I do not know that merchants do; brokers decidedly do; they get the goods into their hands, and then they advance the money; it is not within my knowledge that merchants do.

370. Is it your opinion that an abrogation of the usury laws would permanently reduce or advance the rate of interest, as applicable to the line of trade that comes more immediately within your knowledge?—I do not think it would make any material difference; my opinion is, it would be to the advantage of trade, generally, if the usury laws were done away, for the reasons before mentioned, that a little more interest might induce the broker not to press the sale of the goods too prematurely.

371. Do you not think it would frequently happen, if the laws permitted a broker to charge above five per cent., that he would, in order to accommodate those who deposited the goods with him, sell stock or other property?—No doubt he would find money for them.

372. Might not cases occur in periods of great scarcity, when the rate of interest would advance to an exorbitan degree?—I think not; certainly not in my line of business.

373. The person wanting to borrow would always have the option of borrowing at the rate asked, or selling his goods; would he not?—Yes.

374. What is the usual length of credit given on West India produce?—On sugar, two months; cotton, three months and fourteen days; coffee, one month.

375. What is the rate of discount for ready money upon sugar?—At the rate of five per cent. per annum only; instead of two months' credit given to the purchaser, if the seller wants money of the buyer, the custom has been to charge at the rate of 70 days, and for this reason: if I sell sugar upon the common credit it is two months, but if I want to anticipate the sale by drawing on the purchaser, I must draw a bill at 70 days; and therefore the buyer of the goods says, "No, I will not let you draw, but I will give you the money," deducting 70 days' interest; some of the Jew sellers will charge 73 days.

376. What do you conceive to be the average rate of interest paid for ready money upon the sale of West India produce?—I know it is a doubtful point with many conscientious gentlemen, whether they ought to receive 70 days' interest; that is the reason why I declined mentioning the rate.

377. Do you think that is the rate generally paid for ready money upon the sale of other goods?—No; nor is it at the present time, nor has it been for the last six months on sugar; it was only during the times of scarcity; money is so plentiful at present, the buyers would be glad to take the sugars at two months.

378. As a broker, do you not always feel inclined to do as much business as you can?—I do.

379. You have stated that you lent money upon goods deposited with you, or that you granted acceptances when you had no money?—Yes.

380. You have also stated there has never been any difficulty in discounting your acceptances?—Not that I am aware of.

381. You also state that when those acceptances become due, if you cannot accommodate the borrower with the money, you renew those acceptances, and he gets the money again?—Yes.

382. Then how would the repeal of the usury laws assist you in giving more accommodation?—It would only assist in keeping the goods; more properly

speaking, the broker may say, I will not keep them for more than two months; I very seldom or ever do renew my bills.

383. Do you happen to know what has been the average commission charged for the last seven years by a bill-broker discounting a good bill at two months' date?—I do not.

384. At times of peculiar difficulty, have you ever heard it alleged as a general evil the existence of the usury laws, and that the repeal of them would have diminished the difficulty of getting money?—I cannot charge my own memory with hearing that any more than in general conversation, and that there would not be that difficulty in obtaining money if there were not the usury laws; with respect to our business in particular, there are very few where there is less difficulty in getting money, in one way or another, among merchants or brokers.

385. Have you formed any opinion of the average profits made upon capital in the mercantile world?—No.

386 Can you give an opinion as to the profits which may be made in your own line of business?—No, our line of business is so extensive; there are so many in it; some get little enough, and some more; it is impossible to form an average.

387. Do you think it would have answered to yourself, during the last twenty years, to have borrowed money at six per cent., to have employed in your business?—I do not know what to say to that question; our brokerage and interest go together.

388. Do you not think it would have answered to you, at particular times, to have given that rate of interest for six or twelve months together?—I do not think I should have found it worth my while, for six or twelve months, to have given six per cent.; certainly, individually I should not.

389. You have stated, that in the year 1811 great difficulties arose in the sale of goods, and that a depreciation of fifty per cent., in some cases, took place; is not the consequence, therefore, that by the diminished value of the representative of money, the goods, that that of itself would produce a scarcity of money?—It did produce a very material scarcity; so much so, that I recollect the exchequer bills were given on that occasion; and as proof how very shy the commissioners were of granting on produce, the issue of exchequer bills on produce was trifling in the extreme, because they did not know what to take it at; and therefore very large sums of that loan were obtained on personal security, though intended to be got on produce; the money being once obtained, goods rose very soon afterwards, naturally so, because there was not that pressure.

390. According to your experience, how is the market for goods affected by money being plenty in the market, or otherwise?—The price is materially benefited by a plentiful supply of cash in the market; it induces people to speculate very much.

391. Then this would be the case, even if the consumption of the goods were to remain the same?—Yes.

392. Do you suppose that to be a beneficial effect to the public, or merely to the person who has goods to sell?—Merely to the person who has the goods to sell; high prices can never be beneficial to the public.

Jovis, 14° *die Maii*, 1818.

John Irving, esq., in the chair.

Richard Preston, esq., a member of the house, examined:

393. You are a barrister and conveyancer?—I am.

394. Can you state to the committee the general bearings of the usury laws, as they relate to the high or low rate of interest?—That question seems to demand an answer to the point, whether there should be a fixed rate of interest,

or whether the rate of interest should be left at large, to be the subject of bargain between the contracting parties: a subject so ample, and which branches itself into so many considerations, requires great minuteness in distinguishing the different transactions which are affected by the rate of interest; in the first place, government, and the rate of interest upon the funded debt, must not be put out of view; secondly, the landed interests are materially affected by the consideration whether there shall or shall not be a rate of interest fixed by law; thirdly, it is to be considered whether society is in such a state that persons can be intrusted to make their own bargains respecting the rate of interest. With respect to government, that is a subject which would be best left to the consideration of the house and of government itself, observing only, it will be very obvious that loans of money, in a time of war and of consequent scarcity of money, must be materially influenced by the prevailing rate of interest of the day. With respect to the landed interest, nothing could be so injurious to them as to have the rate of interest without a limit; the value of land would fluctuate from ten to forty years' purchase, and even more; the mischief of this system is inconceivable to any, except those who have extensive experience on the subject; as a general proposition, it may be stated that land is incumbered to one-half of its value, by portions, legacies, jointures, mortgage debts, and other charges of that description, which are of a fixed amount, and several debts for which there is no fund for payment except real estate; and whenever sales should be compelled during a time when the rate of interest is high, and consequently the sale price is low, the person for whom the property is destined would, as the experience of the present day abundantly proves, be left with little or no part of that which was destined for the support of the principal member of the family; in consequence of the great fluctuation which has taken place in the value of land during the last five years, it will appear that many of the subjects of settlements, heirs, and so forth, for whom the principal bounty was intended, will find, if they are compelled to a sale, that there will be no surplus for them; but the value, or sale bill, will be wholly exhausted by the debts, portions, legacies, and other incumbrances of that description, created for the younger branches of families; besides, any system which shall occasion frequent changes in the relative value of landed property, with respect to the number of years' purchase at which lands will sell, governed as they are by the rate of interest of money, must be productive of great inconvenience, and will tend of itself, as a measure, to the deterioration of property of that description, and will render men far more reluctant than they are at present to invest their property on land. Commercial men are in a situation not equally exposed to injury from the fluctuation in the value of money, as it is governed by the rate of interest; their bargains are generally founded on speculation; the result of the speculation may be ascertained in a short time; and the merchant can easily judge whether it is for his interest, for that particular transaction, to give or to withhold the rate of interest which is demanded; in this respect he is very differently circumstanced from the landed proprietor, whose capital, being once embarked in the purchase of land, cannot be recalled; and from the nature of his property he must grant leases of some duration, and cannot vary the amount of his rent with the fluctuations in the value of money through the medium of the rate of interest; but even to merchants and to manufacturers it seems to be of importance that there should be a limit to the rate of interest of money, for all experience proves the parties can very easily make their contracts to reduce the rate of interest below the limit which is fixed by law; but when there is no rate of interest fixed by law, every contract becomes the subject of a separate and distinct bargain, and one which, in many cases, will be attended with difficulty and oppression; it will be the object of the lender, as an individual, to receive as large a rate of interest as he can obtain; it is of course the interest of the borrower to obtain the money at as low a rate of interest as possible.

In the metropolis, where transactions take place on a large scale, and where there is a habit of communication among bankers, and other men of leading character, there will be an understanding which will, in a great degree, fix the rate of interest from time to time; but how is this standard to be communicated to parts distant from the metropolis? how is it to govern transactions between one farmer lending money to another farmer, or a farmer lending money to a gentleman; or how is it to influence a man in a small town or village, from regulating the rate of interest on his loan to tradesmen and other persons who want the assistance of capital to conduct their private concerns? If a man must have money, the lender, unless he is very moderate in his views, will press upon the borrower as severely as he can, respecting the rate of interest; he will also (and this is very important) attempt to bind him to keep the money for a time much longer, perhaps, than it would have been convenient to the borrower to retain the money, unless the necessity of the moment compelled him to enter into that bargain; all experience has proved that usury is committed by men of the most rapacious character; men who have no feeling for the distresses of others; and the law seems, by its policy, to have endeavored to guard men against their own folly in borrowing money; it seems more particularly to have contemplated the situation of young men just entering into life, the sons of men of large property, having expectancies; and also of men given to speculation, by way of gambling, or to live in extravagance beyond their means; in point of fact, those are the classes of persons among whom usurious transactions, and annuity transactions, being the cover for usury, have taken place; men of this description will borrow money on any terms; content to gratify the moment, without looking to consequences. It would be very easy to recount instances drawn from actual practice, in which persons of this description have spent the whole value of their life estates, or of their expectancies, in the short compass of three or four years, through the medium of annuities. The mischief does not end with their ruin; it frequently implicates the whole family, and the eldest son, when he becomes adult, is sacrificed, by witholding from him any means of subsistence, as a measure of compelling him to concur with his father in redeeming the annuities and discharging the debts; but it is to the general policy of the law that Parliament would have its regard; and the simple question is, whether society will be conducted better under a fixed rate of interest, or under the law which shall altogether abrogate the rate of interest. That is a subject on which a great diversity of opinions may be and are entertained. The law, perhaps, may be said to have performed its duty, when it has done that which is right, either in fixing the rate of interest, or in declaring that there shall be no legal rate of interest for money. The rate of interest of money must be considered as one of the best and most certain measures of value. It seems to fix a point below which the value of property shall not degradate, and beyond which the capitalist shall not tax the industry of persons engaged in trade and commerce. If there be no rate of interest of money, it is hardly possible to conceive to how low a price the landed property of the country may fall in times of great distress. During the American war estates sold as low as ten years' purchase; but during the late war, in no instance which came under my notice did landed property ever sell at a lower rate than twenty years' purchase, as far as the parties understood the nature of the contract between them; for advantageous bargains arising from improved rents and other similar causes are not to be brought under this consideration; but ground-rents, houses, and the like species of property, which are purchased for the sake of income, suffered a great depreciation, and were sold, in may instances, at ten years' purchase; and property of this description is that of which the most frequent changes take place. If it should be supposed that no distress arises from annuity transactions, or high rate of interest, there must be a want of knowledge of the subject, because, if professional duty or delicacy would allow it, it

would be easy to enumerate a long list of families, of very considerable rank and distinction, and of very large property, who have been ruined, or nearly ruined, by this species of transaction. In fact, whoever understands the nature of landed property, knowing how it has been circumstanced in former times, must see that an immense revulsion would take place by the change of system which will put an end to the limit of the rate of interest. Persons who invest their money in the purchase of land seldom obtain more than three or three and a half per cent. for that money; although there were instances in which, during the last thirty years, from the great change which took place in the value of landed property, many persons are deriving a much larger rate of interest for their money; that is rather the effect of a change of system in agriculture, and from the great demand occasioned by the war, than from any expectations which the purchasers had a right to form; but looking to the landed interest at present as a body, it cannot be said that they derive an interest of more than three per cent. from their investment of money on land, and purchases made within the last ten years are more likely to produce a lower rate instead of a higher rate of interest to the purchasers. Now let the committee consider the situation of the fluctuation in the rate of interest, which will make six or seven per cent. the rate of interest of the day. A very short calculation would prove that the landed proprietor would very quickly be ruined by paying interest at the rate of six per cent., while he derived from the land, as the rent, only three per cent; and when it is considered, as it may be with safety, that the land is encumbered to the amount of one-half of its value, it would be found that the landed proprietor would, in effect, be incapacitated from borrowing any money on the security of the land when the rate of interest was high, say six per cent. It is always to be kept in mind, that the object of the laws against usury has been to fix a maximum to the rate of interest; and the general policy of this country, as is evident from the several acts of Parliament, has been from time to time to reduce the rate of interest progressively from ten to eight, then to six, and ultimately to five per cent.; and it is most likely that experience will prove that the change in the circumstances of the country, arising from the great increase in the funded debt and the expenditure of government, will render it imperiously necessary rather that the rate of interest should be reduced than that any means should be afforded by which the rate of interest may be advanced even occasionally. It must never be forgotten, that the object of the usury laws, which fix the rate of interest, is rather to provide for times of difficulty and distress than for times like the present, when money is abundant. In an abundance of money there is no difficulty whatever in obtaining it on terms which are reasonable; at the same time the rate of interest among bankers in London and on the exchange never forms the least criterion for the rate of interest on mortgaged securities. Looking also to the transactions of life, as they respect settlements on marriages and the wills of persons who are arranging their affairs, it would be impossible, with the rate of legal interest, as defined, to make reasonable and proper provisions for the rate of interest or maintenance which should be allowed to children during their minorities. At present such rates are generally fixed at four per cent.; but it would be extremely difficult to frame any provision which would be reasonable, without knowing what is the highest rate of interest at which the owner of the estate can obtain money. The price of schooling, education, &c., ought to fluctuate with the rate of interest allowed for those portions, otherwise the allowance would be either too high or too low. Besides, nothing is more important in a country like this than that the prices of everything should be kept as steady as possible, rather than be continually fluctuating. Most of the inconveniences which have been lately experienced have arisen from the fluctuation of prices. If it were in the power of man or of government to make everything suddenly change with the rate of interest, then it would be of no consequence what was the rate of interest; but inasmuch

as the rate of interest must first change, and as the change in the prices of other things will follow only at a distance, and in some articles at one time and in others at another time, these continual fluctuations must destroy the opinion which men entertain of the value of property; the price of labor, of provisions and of other articles, ought in justice to fluctuate, and must in effect fluctuate, with the change in the rate of interest. Particular cases may be put in which commodities may be cheap when the rate of interest is high. This very cheapness of the commodity may occasion a high rate of interest of money. It is a proof that there is too great a demand for money; that merchants and other persons who have property deem it more for their interest to withhold their property from sale, and pay a high rate of interest for money rather than to carry their commodities to a forced market; but this is one of the many circumstances which draws the line of clear distinction between the situation of merchants and manufacturers on the one hand, and of the landed interest on the other hand. Landed proprietors look to permanency, not to fluctuation and change; they buy as a provision for a family, and to keep the property for a series of years; while it is the business of merchants and others engaged in trade to change their property as frequently as they can to a profit, and to look at general results rather than to individual transactions. With them, in every loan, except it be for men in very distressed and insolvent circumstances, the mere question is one of profit or loss, whether the transaction in which they are about to engage will justify the rate of interest which they are required to pay; but the landed proprietor has made his bargain; he possesses the property before he is placed in the situation of knowing what rate of interest may be demanded from him as the price of the money he wants; or he may be in a worse situation; he may have succeeded to an estate greatly encumbered, and to pay a high rate of interest bearing no proportion to the rent would be ruinous in that mode; while to be forced to a sale during the period while interest was at a high rate would, by reducing the one, be still more injurious. However, he must ultimately sell of necessity, by reason of the high rate of interest of money, unless some fortunate circumstance should supply him with the means of discharging the debt he had contracted on the estate. It will also readily occur that the bargains of the most severity, respecting the rate of interest of money, will be negotiated, on the one part, by young men, extravagant tenants for life, or by persons having expectancies on the death of relations; and on the other part, with men whose whole system is that of rapacity. Men borrowing under these circumstances cannot obtain loans from bankers or from other regular dealers in money. With persons of this description they have no credit, because they have no punctuality. There is no hope, no certainty of a fixed time of payment. The persons are therefore driven of necessity into the hands of those who prey on them, from the difficulty of their situation, or from the necessities which they have created; and when once a man embarks in these annuity transactions, or becomes liable to pay a high rate of interest of money, it rarely ever happens that he extricates himself, but he goes on from year to year increasing the amount of his debt, and consequently the amount of his interest. It has generally happened that the very persons who have fed this class of the community with money have eventually been ruined by their own system. There is scarcely an instance of a fortune acquired and kept through the medium of these annuity transactions. In general, the party becomes a prey to those who dupe him with their expectations. About two or three years since there was in London as much distress as can well be conceived among those persons who had been in the habit of lending money on annuities. It arose in consequence of the default and declared inability of several persons in paying their annuities. It may be supposed that unless money can be obtained by those who want it at any rate of interest they may think fit to give, great inconveniences would arise; still, greater inconveniences would arise by suffer-

ing creditors to press on their debtors, and to make an increase of interest the price of forbearance. Till the American war, very few annuities had been granted. The distress at that period first gave them a greater extent than they had before experienced; and they experienced a still greater extent during the late war. But it would be singular to trace the very small sums upon the aggregate which have ever been advanced at annuity interests. On the best calculation I can form I should conclude that one million of money was never advanced in any one year at annuity interest, and that six millions of money were never owing at any one time on annuity transactions. I form this calculation from twenty years' experience, and having seen the greatest part of the transactions which have passed in the metropolis—and it has been to the metropolis, principally, that those transactions have been confined; and also from having, in some mode or other, been professionally engaged in the knowledge of a great part of the transactions of this description; at the same time, no point has ever been more wished by me than to discharge myself of engagements from transactions of this nature; but they have forced their way for the purpose of advice and otherwise, and more frequently in winding up the transactions of men who have been ruined in consequence of those annuities. While the annuity system shall remain in force, there is in effect a complete mode of evading the laws against usury; and if it be fit that men should be allowed to borrow money at a higher rate of interest than five per cent., the system of annuities will supply to every person who cannot obtain mony at five per cent. the means of obtaining it upon other terms, which may be called the market rate of interest among those who choose to employ their money in this mode. But in an annuity transaction there is this peculiarity, that the lender of the money has no direct means of enforcing the payment of the money he advances; contrivances, however, are now in practice by which this object may be and frequently is enforced, in order to prevent a ruinous sacrifice. Not many years since it was thought extremely disgraceful, by persons of respectability, to employ their money on annuity transactions; and even during the late war the number of persons of respectability who brought their money to that market was very few.

395. If the granting of annuities were to be rendered illegal, and if the usury laws were abrogated, would not persons desirous of borrowing upon landed and other security be enabled to borrow at a cheaper rate?—Experience alone can dictate a proper answer to that question. It is quite clear that during the times of peace, and when money shall be abundant, the rate of interest would be lower than five per cent. Every appearance raises the expectation that the rate of interest of money would be very low. Under the present system the rate of interest of money is likely to fall to three per cent. within two years. The reason seems obvious; the sinking fund alone must force fifteen millions of money a year into the money market, and the whole landed interest would not take up, in any year, on mortgage, money to that amount. Let this system go on from year to year, and it will be very evident that land will afford no demand for money on mortgage; indeed, previous to the commencement of the French revolution, when the sinking fund was less than one-seventh of its present amount, money was so abundant that it was impossible to obtain securities for money. Bankers and other capitalists were, by circular letters, seeking securities through every part of the kingdom without being able to obtain them; and offers were made of money at four per cent., and some at three per cent., with a contract to leave the money for twenty years; and when it is considered that the present amount of the funded debt, and the expenses of the establishment, exceed, according to the return to the property tax, the amount of the whole rental of the kingdom, it is quite clear that the quantity of money or circulating medium, which must be applicable to the purposes of mortgage, is infinitely beyond that which can be taken off by the landed interest; and unless a great revival of trade, or some other particular demand, should take up

the floating capital of the country, increased as it is by the amount of the sinking fund, it is evident to demonstration that the rate of interest of money must continually, during the peace, and with a prospect of a continuance of peace, be reduced. In short, at a period not far distant there will be no means of employing money, except upon public undertakings, as was the case previous to the commencement of the French revolution; but this is no reason whatever for repealing the usury laws; on the contrary, it is the very reason which, to my mind, urges the expediency of keeping them in full force. A change from peace to war would immediately invite the desire of calling in money, lent on mortgages and similar securities, for the purpose of the speculation in funded property. This would produce a great demand on the landed interest, and those who held money on loans. The war, together with the usual change in the value of money consequent on a war, would occasion a great and sudden transition from a low to a high rate of interest; and would force the landed interest again into that state of distress which was so generally experienced during the latter part of the late war, when no money on mortgages at five per cent. could be obtained. It may be supposed that after this change in circumstances money would still be left on mortgage if the borrowers would consent to advance the rate of interest. That is not the view I should take of the subject as a probable result. The temptation to call in the money is the expectation of a large increase of capital by employing that money in the funds, instead of employing it at interest on real securities; and it would be impossible for the landed interest to afford to pay that rate, which would be a compensation to the owners of money for the advantage which they could obtain in the funds, partly by the advance of interest arising from the war, and partly from the prospect of increased capital in the advance of the price of the funds.

396. Has it occurred, in your experience, that during the late war money has been lent at a higher rate of interest upon mortgage than five per cent. to persons seized of real estates in fee-simple, and other undeniable securities?—By way of mortgage, properly framed, the rate of interest cannot be higher than five per cent. without being usurious; but during the late war, in several instances, persons of the highest respectability and prudence, with immense clear rentals, seized in fee-simple, with unexceptionable titles, were, from the scarcity of money, necessitated to borrow, and actually did borrow money at the rate of ten per cent., by way of annuity upon three lives, or for years determinable on the death of the survivor of three persons; but the number of those persons was not so great as to justify me to say that the mode became a general system. It happened, principally, with persons who had contracted to buy large estates for convenience, and who could not obtain the money in any other mode; or it happened to persons engaged in trade or manufactures who were pressed for payment, or who, having advantageous speculations offered to them, chose to increase their capital by loans on these terms; and in some few transactions of regular loans of money at five per cent. large premiums were required by the persons who transacted the loan; and even report says that there was a practice among solicitors of requiring a premium of five per cent. for negotiating such loans. It may also be added, that the difficulty of obtaining money on mortgage was so great that few transactions of that sort were negotiated in the metropolis by way of loan. Most or all of the mortgages which were prepared were securities for debts previously contracted, and not securities for money actually lent, or were securities given to persons who assisted their friends in want of money, as acts of friendship, or as loans of stock.

397. You have stated one reason for the continuance of the usury laws was that, in case of a war, persons would be induced to call in their money on mortgage: will you explain to the committee how restricting the rate of interest upon money lent upon mortgage can induce persons to continue this money so lent?—Looking at the context of my answers, it will be found there is a misappre-

hension of their effect, or I am mistaken in the mode of expressing my meaning; there would be an equal right in one mode or the other of calling in the money. My object was to show, that by relaxing the usury laws, you increase the liability of the party to have a demand beyond five per cent. made on him; since a lender would use the advance in the value of money as a reason why the borrower ought to give, and might by law give, a higher rate of interest for money. But when the rate of interest is fixed, the minds of men are fixed to it. They consider it of no use to change to-day, with the prospect of having to look for a security to-morrow; they are therefore not in a situation to press for an advance in the rate of interest beyond five per cent. During the late war very few loans of money on mortgage were converted into annuities. Some few, but not many, mortgages for money were converted into loans of stock. But it is quite clear, from experience, that when money has been lent at a lower rate of interest than five per cent., and any change has taken place in the country, the lender very quickly forces the borrower to go to the highest rate of interest which the law of the country will allow. To those who are engaged in mortgaging titles, it will appear that when money has been at a low rate of interest, it is lent at five per cent., upon the terms of accepting a lower rate of interest if the payment be punctual; but as soon as the rate of interest of money advances, or, which is the same thing, money is in great demand, and the market price is five per cent., the liberty to pay the lower rate of interest will be quickly released, since the borrower will require to have the rate of interest fixed at five per cent., or the money repaid.

398. Then you think a man is more likely to leave his money upon mortgage when he knows he cannot raise the rate of interest above five per cent. than he would if he had the power of raising it to a higher rate?—I think he is much more likely, because, except under circumstances which promise him great advantage from calling in his money, he is more likely to rely on a security with the value and the title of which he has become familiar, than to be continually changing from security to security, for the sake of a small increase of interest, and thereby, in all probability, endangering his money; since he must be very fortunate if he can make frequent changes of his security, and not involve himself in some difficulty. Besides, the most embarrassed men, and men of the least punctuality, will be those who will be ready to give the largest rate of interest; and those are the persons from whom, in respect of their characters and circumstances, there is the greatest danger in accepting securities.

399. Does your experience give you any idea of the amount of money lent upon mortgage in Great Britain?—It must be merely a speculative opinion on which the answer is founded; I should suppose that about one-fourth of the whole landed interest is subject to a mortgage, either directly by way of loan, or indirectly by way of family charges.

400. From your knowledge and practice in the profession, when government were under the necessity of giving a much larger interest than five per cent. for a loan of money, do you know whether persons in general, who had money on mortgage, rested satisfied to allow their money so to remain at five per cent.?—There are two classes of persons lending money on mortgage; one class may be considered the females of families, who convert their portions into loans by way of mortgage; also of younger sons of families, farmers in different parts of the kingdom, and persons who have retired from trade. The other class may be considered bankers and other persons who speculate in money by way of employing it to the greatest advantage, and who watch the changes of the market with a most steady eye. With persons of the former description, few or no changes take place in loans of money; the money generally remains until it is wanted by reason of the death of the mortgagee, or until he wishes to convert his money into land, or to place out his sons in trade, &c.; but with the persons of the other class, money is continually called in on a change from peace to war.

From persons of the latter description it is quite of course to expect that they would continually be calling for a change in the rate of interest between themselves and the mortgagors, as often as anything like a steady price of the rate of interest could be fixed by the transactions of the metropolis. Of the same description, and it goes to a large amount, are the insurance offices, and other public bodies of that description, who employ their money during war in the purchase of funded property, and who, on the advance of the funds, and the consequent reduction of the rate of interest of money, are the first to seek securities on real property. This very system is one which, to my mind, argues the necessity, more than any other, of fixing a limit to the rate of interest of money; since persons of this class are, from the nature of their engagements, most likely to give a market price to the rate of interest of money, and to create that very advance and fluctuation which it seems so desirable to avoid.

401. Can you state the amount of money raised annually in Great Britain by way of annuity, and also by way of mortgage?—It will appear from the former observations that I consider that even during the late war, when most money was raised by way of annuity, it did not exceed one million in a year; with respect to mortgages, it is impossible to calculate the amount, since it is distributed over every part of the kingdom, and the greatest part of the mortgages are transacted by solicitors in the country, without the intervention of council in the metropolis; so that the transactions are numerous in a high decree, and are made up of an immense number of small amounts, prepared by different solicitors in the country.

402. In a great trading country, is it not essentially necessary there should exist the greatest possible facility of obtaining money by loans, discounts, or advances on goods?—It certainly is so.

403. Must not everything that deprives a man in business from perfectly free access to the money market contribute to narrow the productive power of the capital and industry of the country?—As a general proposition, the answer would be in the affirmative; but it does not follow that the end would be obtained by repealing the laws against usury; because there is scarcely ever a time, indeed there never is a time except during a long-protracted war, like that lately closed, in which persons who are fairly engaged in trade cannot obtain as much increase of capital as they ought to possess. Besides, the system of partnership provides a mode in which men of skill and experience may obtain an increased capital; and to open a rate of interest of money would be, in all probability, to throw the largest part of the trade and commerce of the country into the hands of speculators, instead of keeping it in the hands of those who have fair and proper capitals. It is by means of these speculators, in a great degree, that the rate of interest was raised during the late war; many of them went into the practice of selling bills of exchange by way of raising capital on them, and many contrived, through the medium of their bankers, to obtain money at the rate of 10 per cent. without committing usury. The mode, well known, was for a man to apply to his banker for five or ten thousand pounds; to give his note for the sum by way of security at five per cent., but he never took from the banker by means of his checks or drafts more than half of the sum expressed in his note; thus he paid ten pounds per cent. per annum for the sum actually advanced.

404. Then, according to your opinion, the usury laws have not contributed to put down this system of speculation?—Certainly; during the last war, when so many opportunities offered for employing money in different speculations, and while money was so much in demand for the exigencies of government, means were found of evading the laws against usury; but through all time there has been a race between the possessors of money living in the metropolis, and dealing in money as an article of commerce and trade, to make the most of their money, and to carry it to the highest rate of advantage they can; and if the laws against usury were repealed, it would be found that there would be men

to supply money to any adventurer, and that the aggregate amount of such transactions would be so large as would give an improper influence to the value of money, and increase the market price beyond the fair and just proportion. I am quite aware that in other countries the rate of interest is not fixed, and that in those countries no mischief has arisen for want of laws against usury; but it seems to me that the temper of the persons in those countries must be very different from those in England. They are less disposed to embark in speculation. They have not that confidence in trade or commerce, to justify them to give such rates of interest as in this country must be ruinous. Indeed, in tracing the different bankruptcies which have taken place, it would be found that most of them have been occasioned more by the speculation, which required immense sacrifices in the rate of interest, commission, and all those transactions which are connected with bills of exchange, than from any other cause; the total amount of charge, by way of interest, is so high on transactions of this nature, that nothing, besides some extraordinary good luck, could carry the borrowers through the system; and many of them have fallen sacrifices to it. Besides, this system of speculation, and borrowing money at a high rate of interest, cannot fail to be ruinous, as a general system, to those who embark in trade, with fair and proper capitals, and who are content to derive moderate profits, including interest, in the conduct of their business; and, unfortunately, men of this speculative character would form a rate of interest for men who could not in prudence become their competitors in giving the like rate of interest. In short, it seems to me, that any attempt to make money more valuable than it has been is to increase the evil of a system which has been followed too long; is to make money too valuable, when compared with rental of property, industry, &c.

405. May it not be collected, from the general tenor of your evidence, that your opinion is, that the present system of usury laws is very defective, and that some change is necessary?—A general answer to this question would not express the sentiments I entertain; the present system is one which never has done great mischief, compared to a system which would take away the limit to the rate of interest; if annuities could be regulated, the principal mischief to the landed proprietor would be obviated; but the commercial interest would, in the time of war, require some system which would make such transactions as those stated amenable to the law. It is quite clear that the system admits of improvement; but that improvement seems to me to be, most strictly to enforce the laws which fix a limit to the interest of money, and to prevent, as far as human wisdom can prevent it, the evasion of those laws.

406. Let the course and consequence be what it may, do you or do you not think that the doing away the present restrictive laws would be beneficial?—Certainly, most injurious to the great mass of the people.

Lunæ, 18° *die Maii*, 1818.

Mr. Serjeant Onslow in the chair.

Sir Samuel Romilly, a member of the committee, further examined:

407. Do not cases of great hardship frequently occur to the holders of bills of exchange, and other negotiable securities, from pleas of usury being set up in the original form of the bill, by those who would otherwise be liable for the payment thereof?—Cases of that kind, of great hardship and injustice, sometimes occur; it is impossible for the person who discounts a bill, in many cases, to know what the consideration was that was originally given for it; and yet it is perfectly clear, that if it can be proved that the bill was given for an usurious consideration, it is void in the hands of an indorsee, although he paid a full con-

sideration for it, and had no notice at the time when he paid the consideration that the bill or note was effected by usury.

Nicholas Waring, esq., called in and examined:

408. You are a native of Holland?—I am.

409. Have you been engaged in any mercantile transactions in that country?—I have not.

410. In what line of business have you been concerned in that country?—In none whatever; in fact, I have been but little in that country after my education was finished, except having resided there for two years after my travels.

411. Have you studied the laws of that country?—I have; namely, the laws under the old government; but lest I should disappoint the committee, I beg leave to add, it was not with the particular view of practicing at the bar, but only as forming a part of a college education.

412. Have you had any opportunity of knowing the rate of interest at which money is lent in that country?—I have; from having been acquainted with particular transactions, and from general report.

413. Are there usury laws which regulate the rate of interest in that country?—There are.

414. Do they relate to mercantile transactions, as well as to loans upon real security?—Mercantile contracts are not subject to the laws against usury; but where no rate of interest has been agreed upon, the courts of law will decree no more than five per cent., and in some parts of the United Provinces only four per cent.

415. Does that regulation attach to mortgages or to simple personal security upon bond or note?—It attaches to any sort of contract; but it appears that formerly a higher rate of interest used to be adjudged, when the lender had no pledge than when he had.

416. Is it a common practice to borrow money upon bond or note in that country?—Upon bond, it certainly is; as to a mere note of hand, I cannot state positively, but I think it is not very common; money is frequently borrowed on deposit of the bonds of loans to various governments, contracted for in Holland.

417. At what rate of interest?—There is no fixed rate for those transactions.

418. You have stated that there is a limit which the law fixes, in certain cases, to the rate of interest in Holland; is that law put into strict effect?—Money has been so cheap in that country, on loans of any duration, for more than a century, that there can hardly have been an opportunity for the law to take effect; but I think if the market rate had risen above the legal rate, the law would have been put in force.

419. Has not the rate of interest in Holland, within the last 20 years, fluctuated as high as from five to ten per cent.?—I think it has been at times so high; but it is merely from my mercantile correspondence I can speak to that fact.

420. How, then, does it happen, if there be a statute rate of interest, that it has been constantly evaded?—I understood the preceding question of the committee to have alluded to mercantile transactions, and they were not included in the laws against usury.

421. When mercantile interest has been at so high a rate as that which is supposed to be the fluctuation from five to ten per cent., has money been attainable at a cheaper rate upon mortgage or other real security?—I should be diffident in stating it as a fact; but as a matter of opinion, I have no doubt that during those periods loans upon real security have been at or below five per cent.

422. If no rate of interest is agreed upon between the parties, what is the rate of interest given by the law?—Of late (meaning always under the old government) I understand four per cent. would have been allowed.

423. You were speaking of the practice, and not of the law at present?—No; I alluded to the law as it stood, of which I feel myself more competent to speak

than of the practice of the courts; and there may have been late decisions which I am not acquainted with.

424. Are you acquainted with the practice of discounting bills in Holland?—Merely from conversation with merchants since I have been in trade.

425. Do you not believe that bills of very various degrees of responsibility circulate in Holland as they do in this country?—I have no doubt of it.

426. Do you know whether the best bills and those of an inferior description are discounted at the same rate of interest?—I have understood they are discounted at various rates, differing very much, according to the bills and according to the responsibility of the parties.

427. Has it occurred to you to know whether the great fluctuation which has at times taken place in the rate of interest in Holland has not produced great inconvenience in the mercantile class of society?—I have heard of inconvenience at such times, but I must add that I have always understood the fluctuation of the discount to have been greatest whenever trade was least flourishing; therefore it would be difficult for me to form an opinion whether the convenience must be attributed to the stagnation of trade, or to the fluctuation in the rate of interest; in point of fact, whether that fluctuation was the cause of the inconvenience, or merely one of the effects of that stagnation.

428. Are you acquainted with the rate of interest in other great commercial places on the continent of Europe?—But very little, except it be with Hamburg; there, I understand, the variation has often been very sudden, and goes to great extremes.

429. What are the causes of these variations?—It can be mere matter of opinion with me. I should think in Hamburg it must originate in its being a small and insulated community, with an extensive foreign trade, but without sufficient internal resources to make up for sudden changes in the circulation or in the amount of the floating capital wanted for discounts. On the contrary, in an extensive state, if there be a considerable influx or efflux of money, it will be sufficient; the various branches of inland trade should either yield a small proportion of the capital employed in them, or take up somewhat more than they usually do to weigh against the temporary superabundance or deficiency in the capital wanted in the foreign trade. Indeed, in an extensive state, there will always be some branch of industry flourishing, while another is languid. At any rate, I think the sudden changes in the rate of discount are not, of necessity, a consequence of the rate of interest being free.

430. In speaking of the circulation as to Hamburg, you refer to bank money only?—I do refer to bank money only.

431. Are you acquainted with the nature of the trade and with the value of money in the other Hanse Towns?—I am not.

432. How many years have you resided in this country?—Fourteen years; during which time I have carried on business in London.

433. In the course of your experience, has it occurred to you to become acquainted with the statute of usury, and if so, will you be pleased to state to the committee your opinion with respect to its influence upon the trading and commercial interests of the country?—I have made myself acquainted with the laws against usury. Whenever they are not nugatory, in consequence of the low market rate of interest, I think them in every respect detrimental; they certainly must raise the rate of interest.

434. Why?—Because, whenever the market rate is above the legal rate, the lender must be paid, in addition to that market rate, a premium for his risk consequent on a breach of the law, and for the opprobrium attaching to lending money above the legal rate.

435. Would it not happen that if there was no limitation to the rate of interest, in times of great distress, the less wealthy class of traders would be subject to pay exorbitantly for the accommodation of money?—I apprehend no such consequence; in the United Kingdom, where the science of circulation

may be said to have been brought nearly to perfection, where hoarding is out of the question, and all the floating capital is endeavored to be beneficially employed, whenever it may be done lawfully, I think there would be neither sudden nor great changes in the rate of interest if left to itself. That which happens now, when money is below the legal rate, would happen then, at whatever rate interest might be; namely, it would find its level in a very short time, almost from one extremity of the country to the other, whenever any lasting prospect of benefit offered. Those short fluctuations, which can only affect mercantile paper, would be too much under the beneficial influence of the discounts of the Bank of England to do any great mischief; yet it were better for the trader to be always certain of getting his paper discounted at some sacrifice, than to be obliged to fly to the underhand dealings of such money-lenders as are now unintentionally favored by the laws against usury. Permanent loans would still feel no inconvenience from those sudden changes; for the lender, who looks to an uninterrupted and well-secured investment for his money, would not easily call in a loan, merely because mercantile paper were discounted at the moment a per cent. higher than the interest he obtains. As the law now stands, whenever the market rate is above the legal rate, I think very large sums must necessarily be left idle in the hands of men unwilling to be usurers, and constantly expecting, though continually disappointed, of finding better employment for their money than lending it out at five per cent.

436. Are not the holders of goods frequently driven to sell them when there is little demand, and at low prices, from the impossibility of borrowing money, and which they might obtain at a higher rate of interest, was it allowed?—I am convinced it is often the case; merchandise, in the hands of needy sellers, is frequently offered for sale, for instant payment, much below the market price; no doubt, merely to raise money.

437. Does it come at all within your knowledge, or have you received information from others, so as to lead you to entertain a strong belief of the fact, that it frequently happens that persons possessed of goods are incapable of borrowing money at legal interest, and compelled by their necessities to place those goods in the hands of another merchant, borrowing money from him at five per cent., and making up an extra advantage to him by allowing him a commission on the sale of the goods?—I know that such transactions have frequently happened.

MERCURII, 20° *die Maii*, 1818.

Mr Serjeant Onslow in the chair.

John Tunno, esq., called in and examined:

438. You are a merchant?—Yes.

439. Have you seen any inconveniences arising to the mercantile world from the laws which restrained the interest of money, in ordinary times?—Yes, I have.

440. Have you seen those inconveniences also in other times?—Very particularly so.

441. Do you not think that when the market rate of interest is above five per cent. considerable inconvenience arises in the mercantile world from persons not being able to borrow money?—Yes, certainly.

442. You conceive that great inconvenience does arise in particular instances?—Yes; it came within my own knowledge in one particular instance, when I was desirous to serve a commercial house, by lending money, and doing their business in London, where this house also resided; and I did advance them money to a considerable extent upon the security of bills of lading; the business actually passed through my hands, and when it was closed I was informed, upon taking the advice of counsel, that in case my friends, whom I

had assisted, should hereafter become bankrupts, my charge of commission for transacting the business would be considered as exposing me to the usury laws; upon which opinion, as well as from what I heard from others, I abandoned my whole charge of commission, and received back my money, with simple interest.

443. Has that occurred in similar instances, from giving assistance?—Yes.

444. Have you found the operation of these laws to be injurious to the commercial world?—In my opinion they are so, as I certainly think that they prevent persons from lending assistance to one another in times of distress, since they cannot with safety claim commission for their management of the business.

Swinton C. Holland, esq., called in and examined:

445. You are a partner in the house of Messrs. Baring Brothers & Co.?—I am.

446. Are you acquainted with the state of the laws regulating or restraining interest in the various states of the continent of Europe?—I conceive I have a general idea of it, without being able particularly to define the law of each country.

447. Do you know whether there are any usury laws for restraining the rate of interest in Holland?—I think there is a law in Holland to restrain the rate of interest.

448. Do you conceive that law to be a written ordinance, or merely a customary law?—I conceive it to be a written ordinance. I think that the last law that was promulgated in Holland was the Code Napoleon, which is continued to the present time. By the Code Napoleon, for what are called transactions civil, understanding by transactions civil the case of mortgages, &c., &c., five per cent. is allowed, and six per cent. on commercial transactions; but I believe these laws are no longer regarded in commercial transactions, and that the rate of interest varies according to the abundance or scarcity of money.

449. Do you know whether, previous to the Code Napoleon, there was any written ordinance regulating the rate of interest?—I believe there was a written ordinance, regulating the rate of interest, previous to the Code Napoleon. I think the written law, previous to the Code Napoleon, limited the rate of interest to $6\frac{1}{4}$ per cent.; but I rather imagine that was confined to transactions in real property.

450. Do you know whether there are any laws restraining the rate of interest in the Hanse Towns?—In Hamburg there are no laws against restraining the rate of interest, and in the other towns I do not find that any such laws are acted upon.

451. You have stated that the discount upon bills in Holland fluctuates according to the abundance and scarcity of money; are not first-rate bills discounted at a lower rate of interest than those of an inferior quality?—I conceive that must undoubtedly be the case; but I do not know it to be the fact, because I never resided in Holland.

452. Has it not happened, that in drawing bills upon a foreign country, merchants of an inferior credit negotiate their bills upon worse terms than those of merchants of more undoubted responsibility?—I should conceive that was the case everywhere.

453. Do you not think that if the discount of bills in this country fluctuated very much, the same thing would happen—that is, that inferior bills would be discounted, though at a higher rate of interest than first-rate bills?—I conceive they certainly would be discounted in proportion to the decree of credit which the house enjoyed, but that that decree of credit would not fluctuate much more than from one-eighth to one per cent.; the general rate of discount in Holland is from four to five per cent., and occasionally from three to three and a half per cent., but very seldom lower; during the revolution it has been

at six and seven per cent., and even at eight, but this has been generally owing to some forced financial operation on account of the government, and has never been of long duration; the average rate since 1794, in Amsterdam and Rotterdam, has generally been about four per cent.; the following is the average rate of Amsterdam and Rotterdam, from 1795 to 1817:

1795, 4, 4½, 5, 6; 1796, 4, 4½, 5, 6; 1797, 4, 4½, 5, 5½, 6, 9, 12; 1798, 4, 4½, 5, 6; 1799, 3, 4, 4½, 5, 6; 1800, 4, 4½, 5, 6; 1801, 4, 4½, 5, 6; 1802, 4½, 5, 5½, 6; 1803, 4, 5, 5½, 6; 1804, 4, 4½, 5, 5½, 6; 1805, 4, 5, 5½, 6, 9; 1806, 4, 4½, 5, 5½, 6, 9; 1807, 4, 4½, 5, 6; 1808, 4, 3½, 4½, 5, 6; 1809, 4, 4½, 5, 6; 1810, 4, 4½, 5, 6; 1811, 3, 3½, 4, 5; 1812, 3, 3½, 4, 5; 1813, 3, 3½, 4, 5, 6; 1814, 4, 5, 5½, 6, 6½, 7; 1815, 5½, 6, 6½, 7; 1816, 5, 5½, 6, 6½, 7; 1817, 5, 5½, 6.

The Bank of Amsterdam never discounts at a higher rate than five per cent., and the act of incorporation of the bank prohibits them from so doing; but they discount at a lower rate, and vary their discounts according to the abundance and supply of money; never exceeding five per cent., but occasionally at a lower rate; seldom, however, below three per cent., although they have discounted their own acceptances at two and a half.

454. Have you any information on this subject which you could give to the committee with regard to Hamburg?—I believe that no law exists in Hamburg against usury; if there is a written law it is obsolete, and not practiced or enforced; the rate of interest varies according to the scarcity or abundance of money; it has been seven, eight, and even at ten per cent., and in the year 1799, when there were so many failures, at 14 per cent.; but all this was the effect of momentary circumstances, as whenever more than four per cent. can be made for money, it generally flows in from different quarters; the present rate is about five per cent.; the Bank of Hamburg is one of deposit, and does not discount, but merchants generally charge, in accounts current between one another, five per cent.

455. Can you assign any reason to the committee why the fluctuation of discount is so much greater in Hamburg than in Amsterdam?—I conceive Hamburg to be a more general market for money transactions than Amsterdam, and that it is more a pivot upon which money transactions turn than Amsterdam is.

456. Do you not conceive as the Bank of Amsterdam is in the habit of constantly discounting good bills at five per cent., that that is the material reason for the fluctuation in the rate of discount not being so great in Amsterdam as in Hamburg?—I conceive that the Bank of Amsterdam, by not discounting at a higher rate than five per cent., must have a considerable effect in keeping down the rate of interest at that place.

457. In times of great pressure in Hamburg, when the rate of discount fluctuates as high as 14 per cent., must not that occasion very great individual inconvenience to those persons who are obliged to pay so dear for the money?—I conceive it creates both inconvenience and benefit; if they did not raise it by discount, they must raise it by some other method perhaps more injurious to themselves than paying the high rate of 14 per cent. discount.

458. Do you conceive that the average rate of interest in Holland, where there are no laws restraining that rate, is higher than in other countries?—Certainly not.

459. Do you believe that there are more bargains, which would be called of an usurious nature, that is of an impressive nature, in those countries in which an interest far above the true market rate is charged, than in other countries?—As a matter of opinion, certainly not.

460. Are you acquainted with the rate of interest in other countries than what you have stated?—I am acquainted with the rate of interest of the chief commercial towns; at Leghorn, the customary rate of interest is half per cent. per month, or six per cent. per annum; but there is no law to prevent the taking a higher rate of interest in mercantile transactions, and the discount averages

from five-eighths to three-quarters per cent. per month, according to the abundance and scarcity of money, and the employment that occurs for it; there is no bank at Leghorn, but merchants usually charge in their accounts current six per cent. per annum. At Genoa the legal rate of interest is four per cent.; but the common charge of merchants is five per cent., and no law exists against taking a higher rate; I mean by a legal rate, what is customary when no agreement has been particularly made; there is no bank at Genoa, the old institution of this nature having ceased its operations; at Cadiz, and in Spain in general, the ordinary rate of interest is six per cent., but no law exists against taking a higher rate, and it seldom varies or rises above seven per cent.; the usual interest charged in accounts current between merchants is six per cent.; in Portugal, or Lisbon, the legal rate of interest is six per cent., but frequently a larger interest is taken, although this is contrary to law; the merchants charge six per cent. in accounts current; in France and Paris, by the national code, five per cent. is declared to be the legal interest, in affairs of real property, and six per cent. in commercial affairs; parties taking higher interest are subject to fine and imprisonment.

461. Is the fine definite or indefinite?—It is definite; there is a bank at Paris called the Bank of France; in 1815 the Bank of France discounted at four per cent. requiring three names on the bills discounted; at present the rate of discount is five per cent.

462. Is it the established rule of the Bank of France never to discount at a higher rate than five per cent?—It is; in Russia the legal rate of interest is six per cent., but the law is constantly evaded, and the rate of discount varies according to the abundance or scarcity of money; but Russia being a country capable of great improvement, and the ordinary demand for money great, the rate of interest is generally much higher than the legal rate; the Imperial Bank of Commerce was established at St. Petersburg, by an edict of the 7th of May, 1817; the nominle capital of this bank is thirty millions of roubles, and it is established on the principle of a bank of deposit, as well as discount; the rate of discount is declared to be neither permanent nor limited, and the rate cannot be fixed for a longer period than fifteen days; but the whole board of directors, united in full sitting, are to deliberate every fortnight on the rate of interest to be fixed for the discount of bills of exchange and obligation, and their decision is to be approved by the minister of finance. Merchants usually charge in account current at the rate of six per cent. per annum. At Trieste and in Austria the legal rate of interest is six per cent.; but the interest at Trieste varies from 6 to 12 per cent., according to the abundance and scarcity of money. At Malta the customary rate of interest is 6 per cent., but during the war the interest rose, according to the demand for capital, from three-quarters to two and a half per cent. per month, without any evil being experienced from it, as the borrower would not have borrowed if he could not have made more by the use of the money than what he paid for it. In the United States of America the rate of interest established by law varies in different States; the ordinary rate is 6 per cent., but bills are constantly in the market, and discounted at the rate of from three-quarters to one per cent. per month.

463. Can you state to the committee in what manner the evasion of the usury law is practiced in the United States of America?—I can state that the evasion of the law is so common, that although it exists, and may be put in force, yet, in point of fact, so far as it relates to mercantile transactions, it must be considered as nugatory; but America being a new country, with abundant opportunity for the employment of capital, money is always in demand, and bears a higher rate than the legal rate. The Bank of the United States has a capital of 35,000,000 of dollars, and they cannot discount at a higher rate than six per cent. per annum. The Bank of the United States has also branch banks, established in each town of any consequence, which discount at their respective

places on the same footing as the mother bank. In addition to the national bank and the branch banks, a variety of banks incorporated by each State are established at every town of any importance; the rate of discount is the same with them all, viz., six per cent. per annum.

464. Can you state to the committee any reason why the discounts in the United States should fluctuate from $\frac{1}{2}$ to $\frac{3}{4}$ per cent., and at a higher rate, when the banks which you have mentioned discounted at $\frac{1}{2}$ per cent.?—Because the banks will not discount beyond a certain amount for any one house; and the demand for capital is so great that merchants are induced to pay a higher rate of interest for what they borrow from other sources.

465. Are you acquainted with the state of Ireland?—I have no particular information with regard to Ireland.

466. Has your attention been called to the effect of the usury laws on the commercial world, in times of pecuniary distress?—I do not know that it has been particularly called, in times of great distress; but I have occasionally turned my attention to the subject.

467. Will you communicate to the committee what has been the result of that attention? —Custom has fixed a certain rate of interest in different countries, varying according to the time and period of the laws being established; money is like any other commodity; if the supply is abundant, and the means of employing it difficult, the rate of interest will be lower than the customary rate; if, on the other hand, money or capital has full means of employment, the commodity becomes scarce, and is worth more to the proprietors than the customary rate; but in a country where capital is abundant in ordinary times, the rate of interest will generally be below the customary rate; and in such countries, it is only in war, and while some extraordinary financial operations are pending, that the rate rises above the customary price. A borrower of money has frequent opportunities of gaining 10 or 12 per cent., which opportunities are not known to the lender; so that a man can afford to pay six per cent. (or any given rate) for money, more than the legal interest, and still derive a profit from the money he has borrowed; this is advantageous to all parties in a commercial country like England: as, for instance, the English banker lends to the English merchant at five per cent.; the English merchant lends to the foreign merchant at eight per cent.; and the foreign merchant, in his own country, where capital is much demanded, finds he can obtain 10 or 12 per cent. for the use of the money. Each of these parties obtains a profit on the capital circulated; this nation is benefited by the circulation, and gains that which its subjects receive, in a political point of view; and the foreigner is benefited by borrowing capital to employ in his own country, where it is wanted, at eight per cent., where it is worth to him 12 per cent. The capital is not lost to this country, because the English merchant will not lend his money for a longer period than he finds it convenient to himself to do, and it returns to him when he requires it. But as the English law stands at present, no contract can be made in England to lend money to either native or foreigner, at above five per cent.; of course, the English law is opposed to general circulation, and the distribution of capital, and prevents British subjects from adding to the capital of the country, by the justifiable gain which they might obtain in the employment of their capital. The same argument applies to the distribution of capital in our own country, in extraordinary times, when capital is worth more than five per cent. In the metropolis money is always more abundant than in the country, and there are more dealers in it, whose sole trade is in money. These capitalists find they can get five per cent. close to their own doors, and they will go no further for it; but at the same time, at Manchester and other trading towns, money is worth to the manufacturer seven per cent.; because with the money he borrows at seven per cent. he finds he can make goods which he can sell immediately to a customer, a foreign merchant, at fourteen per cent. profit. The Lon-

don money-lender would thus gain two per cent. extraordinary, by letting his money go to Manchester; and the manufacturer would gain seven per cent., and employ the industry and labor of the country; the foreign merchant carries his goods to a market known only to himself, where he gets twenty per cent. benefit by them, and all parties are benefited. But the English law prohibits this, and thus does an injury to the country at large, by preventing the increase of individual capital. I beg to add, that the mode, town, and rate of interest I state merely in order to place the position in the light in which I wish the committee to understand the argument; but I believe the principle to apply to all places. The above account will not apply to the present period, because, capital being abundant, and no extraordinary demand for it, the borrower finds no difficulty in obtaining it at five per cent., or under. The laws against usury drive men in distress or in want of money in this country to much more disastrous modes of raising money than they would adopt if no usury laws existed. The land-owner requires capital to increase his live stock, or improve his land, or for any other purpose, at a period when the government is borrowing money at above five per cent., or when the funds give a greater interest than five per cent; no one will then lend to the land-owner, because his money is worth more to him than the law allows him to take; the land-owner must, therefore, either give up his improvements, or borrow money on annuity interests, on much more disadvantageous terms than he could have done if no law existed against usury. The man in trade, in want of money for an unexpected demand, or disappointed in his returns, must fulfil his engagements, or forfeit his credit. He might have borrowed money at six per cent., but the law allows no one to lend it to him, and he must sell some of the commodities he holds at a reduced price, in order to meet his engagements. For example, he holds sugar which is worth 80*s*., as his neighbors are selling theirs of the same quality at that price to their regular customers, and he would be able to do the same were time afforded him; but he is compelled to sell it immediately at 70*s*. to the man who will give him cash for it, and thus actually borrows money at 12½ per cent., which, had the law allowed him, he might have got from the money-lender at six per cent. It is known to every merchant that cases of this kind are common occurrences in every commercial town, and more especially in this metropolis. A man in distress for money pays more interest, owing to the usury laws, than he would if no such laws existed, because now he is obliged to go to one of the disreputable money-lenders to borrow, as he knows the respectable money-lender will not break the laws of his country. The disreputable money-lender knows that he has the ordinary risk of his debtor to incur in lending his money, and he has further to encounter the penalty of the law, for both of which risks the borrower must pay. If no usury law existed, in common cases, and where a person is respectable, he might obtain a loan from the respectable money-lender, who would then only have to calculate his ordinary risk and the compensation for the use of his money.

468. Do you conceive that the enterprises of individuals in this country are generally cramped from the want of a general facility of borrowing money?—I conceive that the enterprises of the country would be increased by an increased facility in borrowing money.

469. Do your observations as to the inconvenience of the usury laws refer particularly to the difficulties which they throw in the way of procuring money in times of great pressure, or in ordinary times?—I consider the usury laws as an inconvenience at all times, and do not refer particularly to times of great difficulty.

470. Is it at all a common remark in this country that men of prudent conduct are prevented from advancing in the world owing to the restraint imposed upon them in getting money in consequence of the usury laws?—I have no heard that remark.

471. Do you not think that the average mercantile profit in this country is such as to enable the merchant to pay six per cent. for money?—I conceive that no prudent merchant will borrow money at any rate of interest, whether at three or at six per cent., without he has the prospect of employing it to greater advantage. It is difficult to state what the average rate of profit in this country is, trade being divided into such a variety of branches; but I do not think that a prudent merchant in general, in peaceable times, calculates that he can afford to pay six per cent. for money borrowed permanently. For the last twenty years I think he might have borrowed capital to advantage at six per cent, but not for the last three years.

472. Great Britain and Ireland being united, is it your opinion that the usury laws operate to the disadvantage of Ireland as well as of Great Britain, and why?—I consider that if no usury laws existed a more equal distribution of capital would take place in Ireland; and Ireland being not arrived at the same state of cultivation and general improvement as England, I think that it would be to the advantage of Ireland to have a greater quantity of capital employed in that country.

473. Do you think that if the usury laws were done away, it would have that effect that capital would go to Ireland?—I think it would have that tendency.

474. At periods when the government has occasion for loans of money might not the abrogation of the usury laws produce great inconvenience?—I do not think it would, because during the war government were constantly breaking the usury laws themselves.

475. Do not these breaches of the usury laws, by enabling government to borrow at a higher than the legal rate of interest, give them the monopoly of the market, and thereby enable them to procure money when individuals could not?—In this country, where the abundance of capital is so great, and where the desire of lending to government is so conspicuous, government, in my opinion, would always have the preference as borrowers.

476. Then, as the government has no competitor in the market at the higher rate of interest, does it not therefore obtain a preference which it would not otherwise have if there was no restraint upon the rate of interest?—It has the preference certainly; but as the security of government is always better than that of individuals, they would still obtain money at a more advantageous rate than individuals can.

477. Do you consider that government has the monopoly of the market when so many means are constantly resorted to of obtaining a higher interest than five per cent., such as borrowing upon annuities, on continuation, and commission?—I do not consider that government has the monopoly of the market. In an old, rich country like this there is a division of capital as well as of labor in different branches of trade; one set of capitalists employ their capital almost exclusively in operations of government securities and with government, and that capital is not much diverted into other channels.

478. From the consideration which you have given to this subject is it your opinion that the usury laws are susceptible of amelioration by change, or that they ought altogether to be done away with?—I think that they are susceptible of amelioration by change, because when an evil exists in an old country you cannot do away with it all at once, but must remove it by degrees, in order to be beneficial to that country; but if the country was in an earlier stage of progress, I should consider any laws relative to usury as injurious in their effect.

479. In the view which you have taken of the subject do you think that there is any revision which could be advantageously made with regard to the laws as applicable to real property, and as applicable to commercial and trading transactions?—I have no doubt of it.

480. You have stated that you consider the existence of the usury laws in

this country at all times inconvenient. In your view of the case, do you not consider that that inconvenience applies with particular force in times of great pressure?—Certainly.

481. Do you consider that at such times persons would get relief who do not now get relief in consequence of the existence of the usury laws?—I do.

482. Do you conceive that the money which persons would be inclined to borrow at such times is for the purpose of enterprises in trade, or for the purpose of saving their own credit?—For the purpose of saving their own credit.

483. Then you do not conceive at such times that the enterprises of the country would be materially advanced by the abrogation of the usury laws?—I conceive there might be some men in those times that would borrow money with the view of making speculations or of commencing new enterprises which occur to them from the very circumstance of the distress.

484. Does it exist within your knowledge that in times of great pressure it has been impossible to discount good and unexceptionable bills at five per cent.?—It does not; but I do not think that I have been in England in times which would be considered times of great pressure.

485. In times of great difficulty in foreign countries—for instance, in Hamburg, where the rate of interest is, as you have stated, at such times as high as fourteen per cent.—do you conceive that the pressure is diminished there, or rendered less durable than in this country, where persons are not authorized to borrow money at such a rate?—I consider that it is diminished and less durable in Hamburg.

486. Does that arise from the non-existence of the usury laws, or is it from the different circumstances of the two countries?—It may be supposed that both have an effect.

487. Have you ever heard it a matter of remark that this country, as a great commercial country, was subject to inconveniences in consequence of the existence of the usury laws, which place it in a disproportionate state of competition with foreign countries?—I cannot call to my recollection that I have heard that remark made.

488. Do you not think that merchants, manufacturers, and tradesmen of small capital would be more benefited by the repeal of the usury laws than the great capitalists?—Yes, I do; because I conceive that the small capitalists and persons of the description mentioned have larger profits than what the larger capitalists enjoy, and therefore that they can afford to borrow at a higher rate of interest than what the larger capitalists can, because they receive more for the use of their money. I have before stated that in my opinion no persons possessing common sense will borrow money at any given rate of interest without they can obtain more for the use of the money than what they pay for it.

489. Do you not conceive that in times of distress small capitalists are more likely to be affected in their credit by the operation of the usury laws than large capitalists?—Certainly.

490. The remark you have made the committee supposes to apply to the smaller class of merchants and manufacturers throughout the country?—Yes; to the smaller capitalists throughout the country.

491. Is not the present principle upon which the bankers established throughout the whole of England proceed to give every fair accommodation to those persons in their neighborhood who apply to them for the discount of bills?—I have understood that they do.

492. Then in those districts how would that class of persons obtain relief by the abolition of the usury laws, which they cannot procure at present?—By the competition of bankers, or from money-lenders, as it would turn more capital into that channel if the interest became exorbitant.

493. Do you conceive that the circulation throughout this country has been unnaturally limited in recent times owing to the existence of the usury laws?—That is a point to which I have not turned my attention.

494. Are you aware whether difficulties have occurred with respect to advancing money to houses in distress, on the security of goods, by other houses resident in the same place, in consequence of doubts being entertained as to the legality of charging commission?—I am aware that such cases frequently occur in times of distress; and I am also aware that beneficial cases frequently occur of advancing money to foreigners on satisfactory security, by which the houses who make the advances in this country would be much benefited, and I believe the foreigner also; but which transactions have been prevented by the impediment thrown in the way of carrying them into execution by the operation of the usury laws.

495. Are not the minds of commercial men frequently much distracted by doubts upon what is usury and what is not?—The minds of mercantile men are continually distracted on this subject, and I believe that the minds of the legal men are also equally distracted, from the various cases. I have seen no opinions which can be depended upon.

Jovis, 21° *die Maii*, 1818.

Mr. Serjeant Onslow in the chair.

John Thornton, esq., called in and examined:

496. You live at Hamburg?—I do.

497. How long have you been resident there?—I was born there; I have been several different times here.

498. Are you acquainted with the regulations respecting the rate of interest at Hamburg?—Some I am able to answer to.

499. Are there any laws restricting the rate of interest?—There are at Hamburg. We belonged to the former German empire, and by the laws of the German empire the legal interest is six per cent. universally throughout all the empire. We still continue six per cent. We do not consider the French laws which were introduced. The interest is also six per cent. in France.

500. Have those laws been evaded?—Most certainly. Cases of usury will always happen; otherwise they cannot be avoided legally. Jews will always evade them. They were often violated.

501. Were they evaded only by Jews?—I dare say they were occasionally by others.

502. When the market rate of interest exceeds the legal rate, what then takes place?—That can be done only in a mercantile way. In discounting bills in England you can never exceed your discount; that remains forever five per cent. for all bill transactions. But for bill transactions at Hamburg it is not called an evasion, but it is an absolute allowance of the current interest. Whenever there is a scarcity of money, it may be 10 or 12 or 15 per cent, or whatever the current interest is, according to the times, which equally as well may be lower sometimes. We have an abundance of money there. It may be three per cent., or still less. It takes its course according as there is more or less money in the market.

503. When the committee used the term "evasion," it did not convey to your mind the full effect of what was meant. What the committee meant was, whether when the market rate of interest was higher, that the legal commercial transactions did not follow the market rate?—Supposing it had been anything regarding a bond; supposing I take up money for six months, or twelve months, or a longer time, the legal interest of six per cent. can never be exceeded, nor can you, in any claim you have, nor any legal pursuit you have, ever by bills of parcels or by merchandise exceed six per cent. It is only in the way of the turning about of bills, in the discounting of bills. Wherever you must go legally to work, be it in an account current or whatever it may be, the stipulated interest of six per cent. can never be exceeded. And supposing there was a plenty

of money, and the current interest was three per cent., still there is a right to charge six per cent. on any claims.

504. Do you know what in England is called commission?—Yes; that is a contract. We do not call that a commission, but a contract; and, very fairly, that is admitted as legal.

505. You are not, from your long residence abroad, sufficiently informed of the state of affairs in England to know the operation of the laws restraining the rate of interest?—Not precisely; I have been only casually here. I will answer any questions in my power.

506. When the market rate of interest exceeds the legal rate, as during the late war it has very frequently and for a length of time done, what are the effects of those laws upon the commercial world?—Then certainly it is a great incumbrance upon business; it cannot fail to create embarrassment.

507. Do you recollect what happened in the latter end of the year 1795, when the Bank of England restricted its discounts?—Most certainly it occasioned great embarrassment.

508. Do you know any country where the laws against usury have not been evaded?—No; I believe they are evaded in every country in the universe.

509. Supposing the value of money to be above the legal rate, and the laws against usury could be strictly enforced; would it not be attended with the greatest inconvenience to mercantile persons?—There certainly would not be such facilities as we have with us at Hamburg, where the discount is admitted at whatever the current rate of interest is. I conceive that although there is a scarcity of money, by paying an extra rate, then still the enforcement of the laws certainly would create embarrassment.

510. Do you know, in point of fact, any case in which the consideration of the usury laws has ever had any influence?—The consequence will be, that in a case of that kind, where it is proved that a party has committed an act of usury, he forfeits his claim.

511. Have you had instances of that nature?—Yes; the people not being upon their guard, have introduced seven per cent., or even ten per cent., in a bond, and if the person is unable to pay, and it comes to be contested, he loses his claim.

512. Have you known any case such as you have described?—Yes, but it can be only in the case of people who are not acquainted with the manner of evading it, who are not on their guard.

513. What is the mode by which the law is evaded?—A man will give a bonus. Either will say: "You wish to have £200; you must give me a bonus of two per cent., or £4, or according to what he may expect, and then make the amount equally appear for £200, with six per cent. interest." It may be called a commission, or a bonus, or whatever the party pleases.

514. What is the interest in the case of landed property at Hamburg?—Six per cent.; that is to say, in extreme cases the law would admit six per cent. Yet landed property, and property of houses, being considered the best security, money is easily and generally obtained at the rate of from four to five per cent. per annum.

Richard Blanshard, esq., called in and examined:

515. You are a foreign merchant?—I am.

516. Have you ever resided in France?—I resided at Bordeaux from the year 1802 to the end of the year 1809.

517. That was during the government of Bonaparte?—Yes; he was First Consul when I went there.

518. When did the Code Napoleon come into force?—I think about August, 1807, or at least that the limiting the rate of interest took place at that time.

519. The greater part of the time that you resided there was time of war?—Yes; all but nine months.

520. Before the Code Napoleon, were there any laws regulating the rate of interest?—None at all, I believe.

521. What was the rate of interest there?—The rate of interest when I arrived at Bordeaux was from one to one and a quarter per cent. per month, from twelve to fifteen per cent. per annum.

522. That was just after a long war?—Yes; but still I rather think that the interest was somewhat increased by the peace, from the additional business that was taking place, and which gave a further employment to money. Persons could afford to pay a high interest, having a good business, and the money in the place was not proportionate to the increase of trade which took place. A good deal of business was in consequence of the renewal of maritime intercourse and the restoration of the French colonies.

523. What had the state of credit been in France for some time previous to that?—The state of credit in France had been gradually improving from the time of Robespierre. After his death, people were able to think a little of business; but they were for some time very apprehensive of appearing rich, and it was only a high rate of interest that drew forth any money into trade. I understand that money, when it first appeared, about or just before the appointment of the directory, was at three and three and a half per cent. per month.

524. To what do you attribute that?—In the first place, to the little money there was in the country; and in the next place, to the risk there was in employing it; a risk of appearing rich, after a time when it had been sufficient to be rich to be criminal.

525. How long did that rate, at which it began, continue?—It went on diminishing till the year 1807; and if I recollect right, at the beginning of the year 1807, before there was any regulation with regard to interest, good bills were discounted as low as two per cent. per annum; about three per cent. was the course for some time; afterwards, when Bonaparte went through Bordeaux on his Spanish enterprise, having expressed a wish to relieve, as much as lay in his power, the extreme suffering that the city underwent, the chamber of commerce proposed his taking shares in private armed ships (called usually *aventuriers*) to be despatched to the French colonies with cargoes, to bring home in return sugar and coffee; this occasioned the building of many vessels, and procuring a degree of trade, gave some value to money, and made the rate of interest rise to four or five per cent.; before that there had been scarcely any employment for capital, owing to the English blockade, and the oppressive anti-commercial system in France; the low interest of from two to three per cent. arose from people receiving their money, and conceiving there was as much risk in keeping it at home, from the temptation and observation it would occasion, being all in silver, as in lending it out at the lowest rate of interest.

526. Was not the foreign commerce of France at that time in a state of extreme depression?—It may be said that there was none, except here and there an American ship arriving by chance, and some exportation of wines and brandies, by means of the British licenses.

527. Do you know what the rate of interest is in France now?—I believe the rate of interest is five per cent. the legal rate, and six per cent. the conventional rate; they have a right to make that charge when they make a convention to that effect.

528. Then the five per cent., the legal interest, is not binding, if there is an agreement to the contrary?—No; they have a right to go to six per cent. There were no remonstrances on the abolishing the usury laws in France, for money was at so much lower a rate, from a want of employment for it, that capitalists were not frightened when they were told they were not to make more than five or six per cent. of their money, for in fact they would have been glad to have made three or four. Landed estates in that part of France gave no net revenue whatever at that time.

529. France was at that time in an unnatural state?—Certainly; no person can have an idea of the state of France at that time, as regards trade, without having been there. Almost immediately after I left France, which was in December, 1809, the license system took a very considerable extension, Bonaparte having been forced to admit colonial produce in return for the exportation from France, and then the interest of money rose in consequence, and I believe went to five or six per cent.

530. You have been since the year 1809 in business in this country?—I have.

531. Are you acquainted with what is called commission here?—I know what is usually called commission.

532. Supposing a merchant lends to another money upon goods, and also charges commission, has not the doubt respecting the legality of that commission occasioned much embarrassment?—Very great embarrassment.

533. From your observation upon the usury laws, do you conceive that their repeal would be beneficial?—Extremely so, both for the borrower and the lender.

534. Be pleased to state your reasons.—The borrower will, upon the whole, obtain money upon better terms than he is now obliged to submit to, when money is scarce; and the lender will in such cases get the value for his money without being obliged to have recourse to foreign countries for that purpose, or to run risks, of the extent and even existence of which he is generally unaware.

535. You say when money is scarce the borrower will get money upon better terms than he now gets it; do you not conceive that in times when money is scarce, if the usury laws were repealed, the rate of interest would be higher than it now is?—Certainly.

536. How, then, can the borrower get his money at a better rate than he now does?—Because, instead of borrowing upon annuity, or in any similar oppressive and exorbitant mode, he would be able to get the relief he wanted, at a rate perhaps only a trifle beyond the present course.

537. Do you not conceive that he would then only pay the market rate of interest, without paying anything for the risk or the disgrace which is supposed to be attached to modes of evading the statute?—Certainly.

VENERIS, 22° *die Maii*, 1818.

Mr. Serjeant Onslow in the chair.

Joseph Kaye, esq., called in and examined:

538. You have been concerned very extensively, as a solicitor, in the city of London for many years?—I have.

539. Have you, in the course of your practice, had occasion to know the operation of the laws for restraining the rate of interest?—Upon numerous occasions.

540. Have you known any, and if any, what, inconvenience has resulted from them?—I have known very great inconveniences resulting from the usury laws; I am old enough to recollect those inconveniences so long ago as the American war, when money was very scarce, and the discount upon government securities, such as navy and victualling bills and ordnance debentures, was as high as 15 or 16, and sometimes nearly 20 per cent., and when it was impracticable for an individual in the best credit, and having the best landed securities, to obtain money at the legal interest of five per cent.; and then those persons, whose necessities compelled them to raise money, were obliged to raise it by means of annuities, and other means, to evade the statute of usury, and to pay not only an exorbitant rate of interest, but very large commissions and expenses for the procuration of the loans they obtained; and I have known upon many occasions, where securities were not of the best description, the parties had to raise money upon much more ruinous terms, for they not only had to pay the lender an

usurious rate of interest, but to pay him, in some shape or other, for the risk he ran. At various periods in the late war, when money was extremely scarce, persons with very large unincumbered landed estates could not borrow money on mortgage at five per cent., and in many instances were compelled to raise money by way of annuity, by which they were subjected to an interest of 12, 13 or 14 per cent., according to the age of the applicant and other circumstances; so recently as the year 1816, it was not practicable to procure money upon mortgage, and those transactions of the nature above described then took place. It occurs to me that it must be extremely inconvenient to all persons having large pecuniary transactions, that a maximum should be put upon the interest or value of money, as it is the general means of procuring all the necessaries and luxuries of life, and it can never be expected that men in good circumstances and men in distressed circumstances should be able to obtain loans of money upon the same terms; the consequence is, that the needy and distressed borrower is compelled, by various devices, to evade the laws against usury, to pay a most exorbitant commission, and other expenses, in order to obtain a loan of money, which, although he could not probably obtain at the limited interest of five per cent., he could obtain at a small advance upon that interest, if the laws of usury did not prevent such a transaction from being legal.

541. Have you known any instances where questions have occurred respecting the legality of charging commission where money has been lent upon goods?—I have known many instances in which questions have occurred as to the legality of loans of money, both upon goods and other commercial transactions, where the object of the merchant, in making his loan, was connected with the transaction of commercial business, and where, in the usual course of commercial business, the merchant has charged an interest of five per cent. upon his advances, and also charged a commission according to the nature of the business upon the commercial transactions conducted by him; as, for instance, upon loans on West India estates, where the principal object of the merchant is to obtain the consignment of the produce of those estates; in many instances serious doubts have occurred whether it was legal for the merchant advancing the money to stipulate in his security for the consignment of the produce of those estates upon which he made the advances; and in my own professional experience I have uniformly advised the merchants to avoid introducing into the securities stipulations to that effect, trusting to the general influence their advances must give them upon the planters for securing the consignment which was the object of the loans.

542. Did you so advise them in order to avoid the question as to the legality of the transaction?—I certainly did so advise them, in consequence of doubts being entertained by professional men and counsel of eminence in all the courts in Westminster Hall.

543. In point of fact, has it not been the subject of very considerable doubt among counsel of eminence at the bar?—It certainly has been the subject of considerable doubt among counsel of the first eminence, and such doubts have been entertained by gentlemen who now preside in the courts in Westminster Hall as judges. There have also been a great variety of questions as to the legality of advances made by merchants in commercial transactions where they have charged the legal interest of five per cent., and a commission upon those transactions; and in a recent case in the bankruptcy of Messrs. Kensington & Co., who were bankers, and of Messrs. Stein, Smith & Co., who were large distillers, and who employed Messrs. Kensington & Co. as their bankers, from whom they received large advances, and by whom a commission was charged upon bills accepted and paid by them, and upon other transactions of a similar nature. In this case the question was tried under the direction of the lord chancellor, before the lord chief justice of the court of King's Bench and a special jury of merchants, in order to ascertain the legality of the commission charged by Messrs. Kensington & Co. Upon that occasion the chief justice,

in his directions to the jury, expressed a strong opinion against the legality of he charge of commission, but the jury found a verdict in favor of it, which wsa afterwards supported by the judgment of the court. I have also known the charge of commission upon goods placed in the hands of a merchant for sale, on which a loan was made, questioned as being an illegal transaction, and where counsel of the first eminence have doubted the right of the merchant to charge a commission on the sale of such goods, though a very common and ordinary transaction in commercial experience. I have also known, in accounts kept between country bankers and their customers, where it was the ordinary course of business to charge a commission upon the bills discounted and negotiated, as well as interest at five per cent. upon advances, and where a commission has at one period of the account been charged at the rate of 5*s*. per cent., and afterwards varied and extended to 10*s*. per cent., that circumstance has been urged as an usurious charge of commission, and the legality of it called in question. In one case of that kind I recollect the question was referred to a gentleman of great eminence at the bar, who decided in favor of the legality of the transaction; but other eminent counsel entertaining a different opinion, the legality of the decision was litigated in the court of chancery, but was ultimately confirmed.

544. Have you known any large penalties enforced against persons for usurious transactions?—I have known several instances of penalties being enforced which were extremely heavy; and also known many instances in which debts have been held to be illegal, and have not been recovered, in consequence of being founded on usurious transactions. I think I never but once was concerned in an action for usury, and in that case penalties were recovered to the amount of £8,000 or £9,000; but the defendant absconded from the country, and the penalties, I believe, were never paid.

545. In the instances to which you have alluded, do you conceive that the parties were aware that they were engaging in usurious transactions?—In most of them certainly not; on the contrary, they considered themselves as acting legally.

546. To remedy those inconveniences which you have enumerated in mercantile transactions, would you recommend a partial or a total abolition of the usury laws?—I think that the total repeal of the usury laws would be most beneficial to the public, both with respect to the commercial part of the community and to the interest of those who may have occasion to borrow money upon landed security. I think the general interests of every description of men who may be in a situation to have occasion to borrow money would be benefited by the repeal of the usury laws; for if money is scarce they cannot obtain it at the ordinary rate of interest, for any permanent time, upon securities however good, and must therefore have resort to the means of raising money which is extremely injurious to them, and they will not only have to pay above the legal interest, but will also have to compensate the lender for the risk he runs in lending money upon terms that must bring him within the operation of the laws against usury. If money is plentiful the borrower then would have no difficulty in borrowing money upon good security, at even a lower rate of interest than the legal rate, supposing the general interest of the funds and other salable securities should produce much below the legal interest. When, in times of scarcity of money, the government is obliged to pay much above five per cent., under the authority of Parliament, it cannot be expected that necessitous individuals would be able to borrow at five per cent.; and the means to which they are driven to supply their necessities are extremely injurious and inconvenient.

547. In an old country like this are there any evils which would result to the commerce and to the landed interest from the abolition of the usury laws?—I am of opinion that no injury would result from the abolition of the usury laws, and that great advantage would be derived by every description of men who had occasion to borrow money, as in that case they would only have to pay the market price of the money at the time, connected with the state of the security

upon which they applied to borrow; as it cannot be expected that a rich man, with a valuable landed estate, and a necessitous man, with a doubtful security, should be able to borrow money at the same rate.

548. In times of great pressure do you think that persons wishing to borrow money would get relief to a much greater extent than they now do by the abolition of the usury laws, or that the scarcity of money at such periods is not actually occasioned by the circumstances arising out of such times?—In times of scarcity of money I am of opinion that if the usury laws were abolished the necessitous man would obtain relief with much greater facility than he can possibly do while those laws exist, because there are very few men who have money to lend that will expose themselves to the risk of usury, and those who are so disposed always take care to be paid for that risk, which consequently falls upon the necessitous borrower.

549. Do you conceive that there is much unemployed money at such periods?—In times of the greatest pressure there is money employed in a way that may not produce even the full amount of legal interest, which would be lent to necessitous persons, if the lender could be paid what he then would consider an adequate interest for the loan of his money, and a compensation for what he might consider the risk of taking an insufficient security. For instance, if a man, at times like those, had money lying in exchequer bills not producing him more than three or four per cent., he would be induced to dispose of those exchequer bills and lend the money upon a security accompanied by some risk, provided he could be legally paid a rate of interest that would compensate for that risk.

550. In your extensive experience and connexion with mercantile men, have you ever known it a matter of common notoriety that men possessed of property in difficult times have actually failed from being unable to procure money in consequence of the existence of the usury laws?—I have certainly known instances of men in embarrassed circumstances who might have prevented their stopping payment, by raising money upon securities not esteemed satisfactory in the ordinary course of transactions, if they could have been legally permitted to give a rate of interest that would compensate for the additional risk of lending money upon such securities.

551. Have you not known many persons driven to the necessity of selling property at a very depreciated price, which they might have avoided had they been able to borrow money at a higher than the legal rate of interest?—I have known many instances of commercial men, with large quantities of goods, for which there was not an immediate market, that have, from necessity, been obliged to force the market, and sell those goods at very great loss, and which has very frequently ended in their ruin. I have also known many instances of persons possessed of landed property, or houses, who have been under the necessity of bringing the same to sale under very disadvantageous circumstances, not being able to borrow money, in consequence of the usury laws, and who have, by t at means, sustained very severe losses.

552. Taking into consideration the modes in which money is usually lent upon mortgage, taking into consideration the mode of borrowing money upon annuities, and also taking into consideration what relative extent of money is advanced on that description of security, and the quantity of money out upon mortgage, do you think, in times of pressure and scarcity of money, that the existence of the usury laws is or is not beneficial to the landed interest?—I am of opinion that in times of pressure the existence of the usury laws is in general injurious to the landed interest, because on all occasions where payment can be enforced by mortgagees, the money lent on mortgage is generally called for; and it can only be in a few instances, where estates belong to minors and other persons, against whom immediate payment cannot be enforced; and even in those instances, the estates are generally exposed to the expense of suits, of a receiver, and to other incidental expenses, that most probably would more than

pay the difference between the legal rate of interest and the rate at which money might be borrowed to pay off those securities.

553. Would the total abolition of the usury laws affect or injure, in any degree, the public loans? and if not, state your reasons.—I am of opinion that the abolition of the usury laws would in no degree whatever affect the terms on which a public loan might be negotiated, because, when money is scarce and valuable, the public are obliged to pay more than the legal rate of interest to obtain the proposed loan; and when money is more plentiful, the public loan is obtained below the legal rate of interest; and in the negotiations for such loans, I believe the legal rate of interest is never attended to, either by the borrower or lender, but merely the difficulty or facility of procuring money.

554. If any restricted rate of interest is to exist, do you not conceive it desirable that it should be the same throughout the whole of the empire?—My opinion is that there should be no fixed rate at all; and if a restricted rate of interest prevails, I am of opinion there will be much more difficulty in borrowing money, at such restricted rate of interest, at distant parts of the empire, than in or near the great money market of the metropolis; for it is found, even when money is plentiful, to be extremely difficult to borrow money upon unexceptionable landed security in Ireland, even at six per cent.; and upon landed security in the colonies I believe scarce any loans are advanced, except with a view to the commercial business of the plantations upon which they are advanced.

555. If the restrictive rate of interest of six per cent. in Ireland was taken away, so as to leave the matter perfectly open, is it or is it not your opinion that it would serve Ireland materially?—I am of opinion that if the usury laws were abolished it would be beneficial to those parts of the empire where the highest rate of interest is paid; because I know, from professional experience, that very recently, and even at the present time, persons in Ireland are obliged to have recourse to the expensive mode of raising money by granting annuities, in consequence of their not being able to borrow it on mortgage, even at six per cent., and by that means pay a much higher rate of interest for a loan than they might obtain it upon if the rate of interest was open.

James Weston, esq., called in and examined:

556. You have been for many years a solicitor in extensive practice in the city of London?—I certainly have.

557. Have you had opportunity of observing the operation of the laws restraining the rate of interest upon commercial transactions?—I have always thought, as the result of experience, that the restriction upon the rate of interest arising from the usury laws, as they are called, has been prejudicial upon the general scale. I mean to confine it principally to London, arising from my acquaintance with the state of the commerce and trade in London, but extending it also in some considerable degree to the effect which those laws have had upon the owners of land.

558. Then, from your experience, you think that the continuance of the usury laws is not beneficial?—I do think so, upon the whole.

559. Have you known whether doubts have not been entertained, in consequence of those laws, as to the legality for stipulating for commission, where money has been lent?—I have known that it has been doubted, and I have seen the opinion of persons very eminent in the profession, which imported a doubt upon the legality of taking a commission upon the sale of goods deposited and lodged as a security for money lent by merchants in London; but I have known of no legal determination upon the subject.

560. Have you been engaged professionally in any causes arising out of the usury laws?—I was some years ago concerned in a cause of that description, of great magnitude and importance to the parties interested; it arose upon a loan

at six per cent. upon plantation property in the West Indies; it was secured by mortgage, and my clients were the mortgagees. Having called in their money, which I think exceeded £30,000, another West India house in London engaged to take it up, upon an agreement for a transfer of the mortgage securities, upon which occasion they gave to my clients, as a collateral security, their acceptances at six per cent., payable by instalments, it not being convenient to them to pay in ready money; that transaction was called in question. The original loan and the securities taken upon the agreement for transfer of it were considered as protected by the act authorizing the taking six per cent. upon colonial securities; but my clients were subjected to an action for the recovery of treble the amount of the £30,000, which, as far as could be ascertained, was grounded upon the objection taken to the collateral security given for the payment of their money. The action was brought in the name of a common informer, who could never be found, though great pains were taken, and much expense was incurred, to find out who he was. The action proceeded so far as to be appointed for trial; on the day of trial the plaintiff did not appear to try the cause, and he was never heard of afterwards. My clients sustained an expense of more than £1,000, which has been a total loss to them, as the party could not be found against whom the costs might have been recoverable if he had been forthcoming; and my clients and myself, and also my brother, who was then alive, were, from the magnitude of the concern, kept in a state of great anxiety for nearly twelve months.

561. In consequence of this transaction, was not a bill brought into Parliament upon the subject?—There was; and this is a printed copy of the bill, which I have brought with me.

(The witness here produced a copy of the bill.)

562. What became of the bill?—The bill, as originally drawn, was brought into the House of Commons by his Majesty's then solicitor general, now the lord chancellor of Ireland. The draught of the bill in manuscript and in the printed form was circulated by my brother and myself (but principally by my brother's means, who interested himself very much in it) very generally among the profession of the law, both on the bench and at the bar, as well as among the principal solicitors in London; it was very much approved; but several of the provisions of the bill, by reason of its being so very generally disseminated, were the subject of much discussion; and it did not proceed further, though it was so much approved, owing to circumstances, which, perhaps, it is not material I should trouble the committee with, but which I will do if the committee think it proper that I should.

563. Was there not a very considerable expense in preparing and forwarding that bill?—Yes; but that expense was paid by the committee of West India merchants; it amounted to several hundred pounds.

564. Then, notwithstanding the necessity of a bill of this nature was admitted by the highest legal authority, and by great part of the mercantile world, and a very considerable and large expense was incurred in preparing a bill, no legislative enactment has taken place, and the law remains just as it did?—Certainly.

Mr. Edward Wakefield called in and examined:

565. You have been for many years conversant with landed property, as a land-surveyor, and as agent and land steward to several noblemen and gentlemen?—I have.

566. Have you had much experience in the sale and purchase of landed estates?—I have.

567. Have you known much inconvenience to arise to the landed gentlemen, when the market rate of interest was above five per cent., from the difficulty of procuring loans upon the mortgage of estates?—During the war, when the government of the country was giving more than five per cent. for large loans, the moneyed men would not lend upon landed security at so low a rate as the law

determined for them; the consequence was, that the borrowers, in order to raise money, were obliged to grant annuities at an enormous rate, which, in point of fact, was only finding out the way of escaping from the law.

568. Do you think that the late pressure upon the landed proprietors would have been much relieved if the usury laws had not been in existence?—I have no doubt but they would; I could give a very strong instance, without mentioning names, which has lately come through my office, of a nobleman who possessed an estate, upon which there was not an entail, and upon which he was unable to borrow money upon mortgage, and therefore began borrowing money upon annuities, which increased his debt till he has been obliged to sell it, and this is a property coming to nearly £200,000.

569. In consequence of annuities being granted over large estates, does it not frequently happen that the proprietors are prevented from selling them to more advantage, by dividing those estates?—That was the case in the very estate in question, which had been sold in November, 1814, I believe in lots, for somewhere about £250,000; but it was necessary to lay down £160,000, in order to pay off the annuitants, whose securities ran over the whole, and who would not permit a title to be made to any one lot.

570. Was there not a very considerable loss from the impossibility of completing the sale, from the annuities being over the whole estate?—I have no doubt about it; and I think I may add, that I never knew a landed proprietor who was driven to borrow by way of annuity, but that he increased his debt, and in the long run he was ruined.

571. Do you not think that constant instances of this kind must occur in times of difficulty?—I have no doubt about it.

572. Does it not occur that there are frequent instances where landed proprietors will be exposed to very severe loss, by not being able to raise money upon particular emergencies?—No doubt about it.

573. Have you observed, in frequent instances, that landed proprietors, in consequence of not being able to raise money, have been obliged to sell their estates, at an enormous sacrifice of price?—I believe that land is fenced in with so many securities, that it takes a much longer time to force a sale than almost any other commodity.

574. Would it not have been more advantageous to have borrowed money upon mortgage at seven and a half per cent. interest, than to have sold an estate in 1815?—I have no doubt that it would have been advantageous to many landed proprietors to have so done, but that depends upon the opinion which those persons might have entertained upon the future value of land.

575. Do you think that land would be increased in value if the proprietors had it in their power to grant a fair *bona fide* security on it, at the market rate of interest, at the time, instead of being obliged to have recourse to annuities, and to more expensive modes of raising money?—I think, in point of principle, like all other things, it may be more valuable by being freed from a monopoly price of raising money upon the security of it; but I do not know whether practically at this moment it might add to the value of any one estate.

39TH CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | MIS. DOC. No. 125.

TARIFF.

REMONSTRANCE

OF THE

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK

ON

The subject of the present tariff bill.

JULY 9, 1866.—Referred to the Committee of Ways and Means and ordered to be printed.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

The Chamber of Commerce of the State of New York respectfully remonstrates against the passage of the bill now before the House of Representatives, entitled "A bill to provide increased revenue from imports, and for other purposes," and asks leave to submit for the consideration of Congress the following objections thereto:

In the first place, the title of the bill is misleading. The enhanced duties it proposes being, in many cases, so high that they must prove prohibitive, its adoption could not fail to *diminish* rather than *increase* the revenue from imports. The proposed enhancement of duties is chiefly, if not altogether, on imported articles which come directly in competition with similar domestic products, such, for example, as iron, wool, woollens, worsteds, linens, and cigars. These are all leading articles in our import trade, and no one familiar with that trade can doubt that the exorbitant duties which this bill proposes to subject them to would greatly diminish their import, and thereby lessen the revenue of the government. It appears to your remonstrants impolitic to lessen the gold revenue of the government at a time when its gold liabilities are increasing; and it seems especially impolitic to do so coincidently with the abandonment of many of the existing sources of internal revenue. There is reason to apprehend that the joint effect of the two measures might so reduce the revenue of the government as to leave the aggregate insufficient to meet its current expenses and maturing interest, and thus weaken the public credit.

But your remonstrants object to this measure on other and broader grounds. They believe its adoption would prove injurious to every interest affected by it. It would be specially injurious to commerce by diverting it from its established channels, by lessening our foreign trade, and by leaving our large mercantile marine without adequate or profitable employment. It would mar the prosperity of agriculture by increasing the cost of its supplies without enhancing the prices of its products, which are governed, as are those of all exportable commodities, by the foreign market value. It would injure mechanics by increasing the cost of living without enhancing wages. And, finally, through its

exorbitant protection, it would endanger the permanent prosperity of the manufacturing interest itself, which it is specially intended to protect and foster. It proposes to increase that protection by adding from ten to fifty per cent. to the present high rates of duty at the moment when the amended internal revenue laws relieve that interest from a heavy excise tax. The joint effect of the two measures will be to confer on that interest a rate of protection ranging from fifty to one hundred per cent.; and this protection will be absolute with the excise taxes annulled, and the premium on exchange and on gold to pay duties compensating the manufacturers for the adverse effects of a depreciated currency.

This degree of protection being at least twice as large as that interest has hitherto enjoyed under the revenue laws most favorable to it, we may expect to see it engender a home competition which will ultimately prove fatal to its prosperity. We may also expect to see the people soon become so restive under this unwarrantable boon conferred on a favored interest as to demand its repeal and the substitution of a tariff strictly grounded on the principle of revenue. This, combined with the effects of home competition, would be liable to involve the manufacturing interests of our country in general bankruptcy.

For these reasons your remonstrants respectfully ask that the bill may not become a law.

[L. S.] A. A. LOW, *President.*

Attest:

JOHN AUSTIN STEVENS, jr., *Secretary.*

CLERKS OF THE HOUSE OF REPRESENTATIVES.

[To accompany bill H. R. No. 789.]

JULY 20, 1866.—Ordered to be printed.

TABLE OF RATES OF PAY

TO

Clerks of the House of Representatives, with the proposed increase.

Table showing, first, the past pay of officers and employés of the House; second, the salaries as increased this session by resolutions of the House; third, the salaries as they would be if made to correspond with the rates in Senate bill 411; fourth, the salaries as they would be if all were increased at the average rate of increase; fifth, the salaries proposed by the Committee on Accounts.

Capacity.	Past annual salary.	Present salary.	Salary on Senate basis.	Salaries if all were proportion ly increased.	Salaries proposed by Committee on Accounts.
Clerk	$3,600 00	$3,600 00	$4,080 00	$4,500 00	$4,080 00
Chief clerk	2,160 00	3,000 00	3,200 00	3,200 00	3,200 00
Journal clerk	2,500 00	3,200 00	3,000 00	3,200 00	3,200 00
Reading clerk	2,160 00	2,500 00	2,500 00	2,500 00	2,500 00
Assistant reading clerk	1,800 00	2,500 00	2,500 00	2,500 00	2,500 00
Tally clerk	2,160 00	2,500 00	2,500 00	2,500 00	2,500 00
Assistant disbursing clerk	1,800 00	2,500 00	2,500 00	2,500 00	2,500 00
File clerk	1,800 00	2,500 00	2,500 00	2,500 00	2,500 00
Printing clerk	1,800 00	2,500 00	2,500 00	2,500 00	2,500 00
Petition clerk	1,800 00	2,500 00	2,500 00	2,500 00	2,500 00
Chief engrossing clerk	1,800 00	2,500 00	2,500 00	2,500 00	2,500 00
Three assistant engrossing clerks.... { Two of	1,800 00	1,800 00	{ 2,500 00	2,500 00	2,500 00
{ One of	1,500 00	2,500 00	}		
Four assistant clerks { Three of	1,800 00	1,800 00	{ 2,500 00	2,160 00	2,000 00
{ One of	1,500 00	1,500 00	}		
Two assistant clerks { One of	1,800 00	1,800 00	{ 2,500 00	1,800 00	1,800 00
{ One of	1,200 00	1,200 00	}		
Chief messenger	1,752 00	1,752 00	.....	2,160 00	2,000 00
Three messengers	1,200 00	1,500 00	1,500 00	1,500 00	1,500 00
Librarian	1,800 00	1,800 00	.....	2,500 00	2,160 00
Two assistant librarians { One of	1,200 00	{ 1,500 00	.....	1,500 00	1,500 00
{ One of	1,095 00	}			
Messenger	*2 00	1,125 00	.....	1,080 00	1,080 00
Keeper of the stationery	1,800 00	2,500 00	2,500 00	2,500 00	2,500 00
Messenger to ditto	1,095 00	1,368 75	.....	1,500 00	1,500 00
Keeper of the stores	1,200 00	1,500 00	1,500 00	1,500 00	1,500 00
Superintendent of folding-room	1,200 00	1,500 00	1,500 00	2,160 00	2,160 00
Four assistants for folding-room	1,200 00	1,500 00	1,500 00	1,500 00	1,500 00
Superintendent furniture and repairs	1,200 00	1,500 00	1,500 00	1,500 00	1,500 00
Chief engineer	1,500 00	1,500 00	.....	1,800 00	1,800 00
Three assistant engineers	1,200 00	1,500 00	1,500 00	1,500 00	1,500 00
Five firemen	*2 40	*3 00	.....	1,080 00	1,080 00
Six laborers. { Two of	*2 00	*2 50	{ *2 50	*2 50	*2 50
{ Four of	*1 80	*2 25	}		
One page	*80 00	*2 50	.....	*2 50	*2 50
Speaker's page	1,752 00	1,752 00	.....	1,800 00	1,800 00
Doorkeeper	2,160 00	2,160 00	3,600 00	3,000 00	3,000 00
Assistant doorkeeper	1,740 00	2,160 00	2,160 00	2,160 00	2,160 00
Four acting assistant doorkeepers	1,500 00	1,500 00	1,740 00	1,740 00	1,740 00

* Per day.

Table showing the pay of officers and employés of the House, &c.—Continued.

Capacity.	Past annual salary.	Present salary.	Salary on Senate basis.	Salaries if all were proportion ly increased.	Salaries proposed by Committee on Accounts.
Superintendent folding-room	$1,800 00	$2,160 00	$2,160 00	$2,160 00	$2,160 00
Superintendent document-room	1,752 00	1,752 00	2,160 00	2,160 00	2,160 00
Assistant superintendent document-room	1,752 00	1,752 00	1,500 00	2,160 00	2,160 00
Superintendent speech-room	1,500 00	1,800 00	.....	1,800 00	1,800 00
Book-keeper	1,200 00	1,800 00	.....	1,800 00	1,800 00
Eighteen doorkeepers	1,200 00	1,500 00	1,500 00	1,500 00	1,500 00
Nine laborers	*1 80	*2 25	*2 50	*2 50	*2 50
Sergeant-at-arms	2,160 00	2,160 00	3,600 00	3,000 00	3,000 00
Cashier	1,800 00	2,500 00	1,800 00	2,500 00	2,500 00
Clerk	1,500 00	1,500 00	.....	1,740 00	1,740 00
Messenger	1,200 00	1,500 00	.....	1,500 00	1,500 00
Page	*2 00	*2 50	.....	*2 50	*2 50
Laborer	.....	.....	.....	*2 50	*2 50
Postmaster	2,160 00	2,160 00	2,160 00	3,000 00	3,000 00
Deputy postmaster	1,740 00	1,740 00	1,740 00	2,500 00	2,160 00
Four clerks	1,440 00	1,440 00	1,440 00	1,800 00	1,600 00
Four messengers	900 00	1,125 00	1,200 00	1,200 00	1,200 00

* Per day.

NATIONAL CEMETERIES IN TENNESSEE.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

To the chairman of the Committee on Military Affairs correspondence relative to national cemeteries in Tennessee.

JULY 23, 1866.—Ordered to be printed.

WAR DEPARTMENT,
Washington City, July 21, 1866.

SIR: I have the honor to send herewith, for the information of your committee, copies of reports made by military officers in the United States service in relation to national cemeteries in the State of Tennessee, explaining the difficulties encountered in procuring lands, and the necessity for legislation upon the subject.

Very respectfully, sir, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

Hon. R. C. SCHENCK,
House of Representatives United States.

QUARTERMASTER GENERAL'S OFFICE,
Washington, D. C., July 12, 1866.

SIR: I have the honor to submit a letter from Brevet Brigadier General J. J. Dana, in charge of the sixth division Quartermaster General's office, (marked A,) enclosing reports of Brevet Major General J. L. Donaldson, chief quartermaster military division of the Tennessee, (marked B,) dated May 12, 1866, relating to the acquiring of land at Chattanooga for a national cemetery; letter of Brevet Major W. A. Wainwright, (marked C,) forwarding report of a board of survey upon the ground required at Chattanooga for a national cemetery, and asking that it be confiscated; report of Brevet Major General Donaldson, relative to the obstacles interposed to the acquisition of land by the government in the military division of the Tennessee, (marked D;) Opinion of the Hon. H. H. Harrison, United States district attorney for Tennessee, on the authority of the government to seize land for public purposes, (marked E,) &c., with his remarks thereon.

I. From this letter it appears that land at Chattanooga, Tennessee, which the government desires and is using for a cemetery, is held by disloyal parties, who ask exorbitant rates for the same; and that land at Nashville, Tennessee, desired for the same purposes, is withheld by the owners on the ground of a bargain with a rebel General Maney, and also of an alleged right of some person deceased.

General Donaldson, accordingly, asks that Major General G. H. Thomas, commanding military division of the Tennessee, be empowered by the honorable Secretary of War to *seize lands* where needed for national cemeteries, and where the owners refuse to sell at anything like a fair price.

The opinion of the United States district attorney for Tennessee confirms the right of the government to do this.

II. General Dana recommends that Major General Thomas be empowered to *seize lands* for national cemeteries, as requested. [In this connexion he calls attention to a letter from the Quartermaster General to the honorable Secretary of War, of April 11, 1866, on the subject of taking the burial grounds *used during the war* as PRIZE OF WAR, which letter enclosed a draft of an act of Congress to secure that object.]

III. Major General Thomas and his chief quartermaster, Brevet Major General J. L. Donaldson, have shown themselves by far the most zealous, discreet, and efficient officers in the country in the matter of providing resting places for the remains of our brave Union soldiers, and giving them proper care; and there is every reason to believe that this power of seizure, if granted, will be carefully and discreetly exercised, and will very materially aid the prompt execution of that most necessary and patriotic work.

IV. It appears from a report of Chaplain Van Horn, dated June 20, 1866, (marked G,) that the lands at Chattanooga were taken for use as a cemetery a few days after the battles there of November 23 to 27, 1863, and were formally appropriated for that purpose by Major General Thomas, in General Orders No. 296, headquarters department of the Cumberland, December 25, 1863.

V. Reports have been received from General Donaldson enclosing plans of sites, (with estimate of the quantity of land required,) at Fort Donelson, Pittsburg Landing, Corinth, Vicksburg, and Natchez, showing the state of things as follows, viz:

	Probable number of graves.	Probable number of acres required.
1. Fort Donelson	2,500	24
2. Pittsburg Landing	3,850	15
3. Corinth	5,556	12
4. Vicksburg	25,000	65
5. Natchez	2,000	10
Total	38,906	126

The estimated value of these lands varies from $10 to $30 per acre. The price asked by the owners varies from $125 to $800 per acre.

VI. In consideration of the above facts, I would respectfully recommend that Major General George H. Thomas, commanding military division of the Tennessee, be empowered to *seize land* for national cemeteries where the owners refuse to sell for anything like reasonable rates as assessed by a board of survey; and that, if additional legislation be necessary in order to confer this power, that the subject be referred to the appropriate committees of Congress, with a request for the needed legislation.

I have the honor to be, sir, very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster General, Brevet Major General U. S. A.

Hon. E. M. STANTON,
Secretary of War.

A.

QUARTERMASTER GENERAL'S OFFICE,
Washington, D. C., June 22, 1866.

SIR: I have the honor to enclose reports from Brevet Major General J. L. Donaldson, chief quartermaster military division of the Tennessee, on the acquisition of land for a cemetery at Chattanooga, Tennessee; also reports from the same on the acquisition of the same at Nashville, Tennessee, with the following remarks:

I. General Donaldson reports, (marked B,) under date of May 25, 1866, that the land at Chattanooga cemetery (126.72 acres) is owned by four (4) parties, all of whom are reported by a board of survey (consisting of Captain W. A. Wainwright, A. Q. M., and Chaplain Van Horn) to be disloyal, and conclusive evidence given at length in support of this report.

These parties ask now from three hundred (300) to eight hundred (800) dollars per acre for what cost them sixty dollars ($60) per acre before the war, or one hundred dollars ($100) per acre in rebel money during the war.

Loyal citizens estimate the value of most of this land at present at thirty dollars ($30) per acre.

Captain Wainwright (letter marked C) in forwarding this report asks that the lands be confiscated for the purposes of the cemetery. They are now in use for that purpose, and eight thousand five hundred and twelve (8,512) bodies have been interred there.

II. General Donaldson reports, (report marked D,) under date of June 12, 1866, that after making all the necessary arrangements to purchase the land needed for a national cemetery at Nashville, he finds that obstacles are interposed in the shape of an alleged bargain with an ex-confederate general (Maney) for the land, and also of a right alleged to be held by the heirs of some person now dead.

He also reports that the same state of things exist at Franklin, Tennessee, and is convinced that there is a determined opposition in that military division to government acquiring land for national cemeteries.

III. General Donaldson accordingly asks that Major General Thomas, commanding the military division of the Tennessee, be specially empowered by the honorable Secretary of War to seize land, where needed for national cemeteries, and where the owners refuse to sell at anything like fair prices.

He encloses an opinion (marked E) of the Hon. H. H. Harrison, United States district attorney for Tennessee, that the power to seize land for public purposes undoubtedly resides in government, there simply being a counter obligation that they make a just compensation to the owners, (of course only where they are loyal.)

IV. General Donaldson says that the formalities and delays involved in the present system of examining, surveying, plotting, and forwarding a report about lands to this office, previous to any action, interfere greatly with prompt and successful efforts for the purchase of land. He respectfully suggests that the whole subject be left to himself and Major General Thomas, commanding military division of the Tennessee, with authority to go on, act in full, purchase lands, (or seize them if the authority is granted,) consummate the acquisition, and then report their action to this office. He says that without this liberty of action (and that of seizure of lands) he fears he cannot meet the expectations of this department and the desires of the country as regards the burial of the dead.

V. In view of General Donaldson's remarks, I would respectfully recommend—

1. That application be made to the Secretary of War to empower Major General Thomas to seize lands for national cemeteries in the military division of the Tennessee, as described above. [In this connexion it may be useful to call

attention to my letter to you of March 28, 1866, on the subject of taking the burial grounds which were used by our armies during the war as prize of war. The substance of that letter was embodied in a letter from yourself to the honorable Secretary of War of April 11, 1866, which enclosed a draft of an act of Congress on the subject, and requesting that the attention of the military committee might be called to it.]

2. I would respectfully recommend that the authority to go on and act independently in the acquisition of lands for national cemeteries be granted to Generals Thomas and Donaldson, as requested. [This permission, of course, does not do away with the reference of the title to the Attorney General of the United States, (as prescribed by Regulations, par. 1059,) but only renders unnecessary the reference of the choice of sites, &c., to this office—a point which we here can at best judge imperfectly about, and which we can well afford to leave to a thoroughly competent officer on the spot.

General Donaldson has shown himself, in the matter of these national cemeteries, by far the most zealous, discreet, and efficient officer in the country, and there is every reason to believe that the above permission will further the work very materially without detriment to the public interests

Very respectfully, your obedient servant,

J. J. DANA,
Colonel Q. M. Dep't, Brevet Brig. Gen'l U. S. A.

Brevet Major General M C. MEIGS,
Quartermaster General U. S. A., Washington, D. C.

SIXTH DIVISION, QUARTERMASTER GENERAL'S OFFICE,
Washington, D. C. June 22, 1866.

Brevet Brigadier General J. J. Dana, colonel quartermaster's department in Chicago, of division, submits enclosed reports from Brevet Major General Donaldson on the acquisition of land for cemeteries at Chattanooga and Nashville, with remarks:

I. General Donaldson reports, under date of May 25, 1866, that the land at Chattanooga cemetery (126.72 acres) is owned by four (4) parties, all of them reported disloyal by a board of survey; conclusive evidence is given in support of this report.

These parties ask from $300 to $800 per acre for what cost them before the war $60 per acre, or $100 in rebel money during the war. Loyal citizens estimate the value of most of the land at $50 per acre.

Captain Wainwright asks that the land be confiscated for cemetery purposes. It is now used, and 8,512 bodies are interred there.

II. General Donaldson reports, June 12, 1866, that after making arrangements to purchase land for a national cemetery at Nashville, he finds obstacles interposed in the shape of an alleged bargain with an ex-confederate general (Maney) for the land, and of a right alleged to be held by the heirs of some person now dead.

He reports that the state of things at Franklin, Tennessee, is the same, and is convinced that there is a determined opposition in Tennessee to the government acquiring land for these cemeteries.

III. General Donaldson asks that General Thomas be specially empowered by the Secretary of War to seize land for national cemeteries where needed, and where owners refuse to sell at fair prices.

He encloses opinion of Hon. H. H. Harrison, United States district attorney, that the power to seize land resides with the government, the counter obligation being to make a fair compensation to the owners, (of only where they are loyal.)

IV. General Donaldson suggests that the whole matter of acquiring land by

purchase (or seizure if authority is granted) be vested in General Thomas and himself, to report to this office after acquisition is consummated. The formalities involved in the present system interfere with successful efforts for purchasing land. He says that without this liberty of action (and that of seizure of land) he fears the expectations of the department regarding the burial of the dead cannot be met by him.

V. In view of General Donaldson's remarks, General Dana recommends, 1st, that application be made to the honorable Secretary of War to empower General Thomas to seize lands for national cemeteries in the military division of the Tennessee. [General Dana here calls attention to his letter of March 28, 1866, on the subject of taking the burial grounds used by our armies during the war as prize of war. Its substance was embodied in a letter to the Secretary of War from yourself, April 11, 1866, enclosing draught of an act of Congress on the subject, with request that attention of the military committee be called to it.] 2d, General Dana recommends that authority to act independently in acquiring land for national cemeteries be granted Generals Thomas and Donaldson, as requested.

General Donaldson has shown himself by far the most zealous, &c., officer in the matter of national cemeteries in the country; and there is reason to believe the above permission will aid the work without injury to the public service.

B.

HEADQUARTERS MILITARY DIVISION OF THE TENNESSEE,
Chief Quartermaster's Office, Nashville, Tenn., May 25, 1866.

GENERAL: I have the honor to enclose herewith report of board of officers designated to examine and report upon the site of the national cemetery at Chattanooga.

The board fix the value of the land owned by Ruohs and Hooke at thirty dollars ($30) per acre, and the land owned by the heirs of Ambler and W. E. Kennedy at seventy-five dollars ($75) per acre.

It reports all the owners as disloyal. How far this will govern any payment to them is for the department to judge.

The board reports in all over one hundred and twenty-five acres. This exceeds very considerably the amount of land authorized for a cemetery by the orders of the Quartermaster General. I do not see how it can be modified now, seeing that Chaplain Van Horn, under the orders of the major general commanding military division of the Tennessee, has laid out the grounds and buried large numbers of bodies on the presumption that all the land would be given. In fact, he has proceeded on the presumption that all the land included in the survey would be needed, and made his plans accordingly.

I am, very respectfully, your obedient servant,

J. L. DONALDSON,
Brevet Major General, Chief Q. M. Mil. Dir. Tenn.

Brevet Major General M. C. MEIGS,
Quartermaster General U. S. A., Washington, D. C.

[Enclosures.]

1st. Remarks on cemetery, &c., by Chaplain Van Horn.

2d. Report of board of officers as to value of land and the disloyalty of all the owners.

3d. Letter of Captain Wainwright, assistant quartermaster.

4th. Plot of the cemetery.

5th. Copy of indorsement of Captain Wainwright, assistant quartermaster, on claim of Ruohs for wood cut by United States on land used for the cemetery.

Major General J. L. Donaldson—Nashville, Tennessee, May 25, 1866—encloses report of board of officers designated to examine and report upon the site of the national cemetery at Chattanooga.

Letter to General Donaldson, June 14, acknowledging receipt, and saying that, before acquiring a title, a sketch of the history of occupation is desired, particularly as compared with date of surrender of rebel armies; when it was first taken; was it taken, in whole or in part, previous to Lee and Johnston's surrender.

An early report called for.

OFFICE NATIONAL CEMETERY,
Chattanooga, Tennessee, May 14, 1866.

SIR: In compliance with instructions from Major General Thomas, given on the 5th instant, I have the honor to submit the following report concerning the national cemetery in this vicinity:

Description of the grounds.—The grounds of the cemetery proper compass an entire hill of beautiful and varied contour, and include an area of seventy-five (75) acres.

I am informed that during the battle which ended in the triumphant assault upon Missionary Ridge the suitableness of this hill for a national cemetery was a subject of remark by General Thomas and yourself, as a beautiful undulating surface was made the more apparent by a line of troops which, at the time, extended over its summit. Soon after the battle, by your direction, I made a thorough examination of contour and soil, and reported that it was the most suitable ground for the end contemplated that I had ever seen; and, though two and a half years have passed, and I have become more thoroughly conversant with every feature, I am only the more fully convinced that its susceptibilities are unsurpassed. These grounds are equidistant from Cameron Hill, which rises abruptly from the Tennessee river, west of the city of Chattanooga, and Missionary Ridge to the east, and also equidistant from General Hooker's point of attack, on Lookout mountain, and that of General Sherman, on Missionary Ridge, northeast of the city. The summit of the hill is eighty-three (83) feet above the level of its base, and commands a view of unsurpassed loveliness. This view is less extended, but better defined than the one stretching to an almost immeasurable distance from the bold front of classic Lookout, and to the artistic eye is its completent.

In the midst, then, of this unsurpassed panorama of nature's greatest loveliness and grandeur is located the resting place of our heroic dead, whose sad but glorious significance shall mingle with the associations of battles and triumphs to the remotest reach of our national history. The ground already enclosed by a heavy stone wall, and that embraced in survey lying beyond the wall—in all, one hundred and twenty-six acres—may seem unwarranted by precedent or law, but it should be considered that it would do violence to nature to take a part of the hill for any purpose. Its individuality and unity are so distinctly marked as to forbid a plurality of uses; and as the wall curves with the rounded base of the hill, and as exterior ground is needed to command the approaches to it, and to prevent encroachments that might mar its beauty, it seems imperative to compass all the ground designated by accompanying survey.

Capacity of grounds.—Of this, only an approximate estimate can now be made, as the number of acres suitable for graves has not been determined by actual survey. Probably nearly one-third of the ground, on account of the outcropping of ledges of rocks, cannot be used for burial purposes. I feel safe, however, in saying that the remains of at least twenty-five thousand (25,000) soldiers can be interred in these grounds. The question arises, shall that num-

ber be removed to this cemetry? Shall the dead of General Sherman's campaign in Georgia here find their final resting place?

It occurs to me that three considerations should rule in fixing the number and localities of national cemeteries, to wit: commemoration of decisive battles, moral effect, and economy. If a battle deserves special commemoration, it would give singleness and emphasis to the significance of the cemetry founded for this purpose should it contain only the remains of those who fell in the battle thus distinguished.

In addition to cemeteries of this type, there should be general ones, and their number and location should be determined by the considerations of moral effect and economy. In view of these considerations, I have no hesitancy in saying that the dead in question should be removed to this cemetery. The moral effect of a decisive battle is generally in proportion to the magnitude of the armies engaged. So the moral effect of our cemeteries will be in correspondence to their size, number of occupants, natural beauty, artistic ornamentation, and monumental grandeur. The more interesting the associations clustering around one spot, the more numerous the persons related by ties of blood, companionship in arms, and friendship to those who have a common home in death, the more easy will it be to make a cemetery what it should be. Again, as a general rule, economy demands large cemeteries. The more extensive the grounds the less the cost per acre for enclosing them; and the fewer the cemeteries the less the cost of their preservation in the aggregate; and should national gratitude in the future demand monuments in honor of those who have given their lives for their country and freedom, their cost would be diminished by the paucity of cemeteries.

But these statements do not compass the considerations of economy which urge the removal of the dead in northern Georgia to this cemetery. Our grounds are ample for their interment. This cemetery is enclosed by a wall built by soldiers, which would now cost heavily. The sections are so distributed that there can be no contraction without removing a large portion of the dead, and the only cost of removal to this point, above that to any other on the line of railroad, would not perhaps exceed one dollar per body, and it would save cost of grounds for another cemetery, cost of enclosure, ornamentation, and preservation.

Plan of cemetery.—The plan of laying out the grounds was suggested by marked natural features. Where nature demanded avenues they have been made, and their curves define the sections. This rule has determined the form and size of the sections. It has given marked individuality to each and has allowed a well-sustained unity of expression to the whole, as nature has nowhere been opposed. Some of the sections have arbitrary forms, but this has resulted from the fact that lines dictated by natural contour form boundaries in part in every case. Should, however, all the ground suitable for graves be used, the features of some portions would demand a change of plan, but not to the extent of incongruity.

Each section has a central plot for a monument, around which are arranged plots for officers, and around these, in turn, in concentric tiers are disposed the remaining graves of the section. The grave of each (the officers excepted) are designated by consecutive numbers, and they are so accurately located by measurement that identification of remains is not dependent upon head-boards or grave-marks of any kind, and, should the external marks of the graves be removed, the plots and records would point unerringly to every one by number, and tell its occupant.

Records.—It is proposed to secure a short military history of every officer and soldier interred in the cemetery, whose remains have been identified, and our records may include sketches of those known to be here, though undistinguished. The ordinary form of record has been intended to compass this result. The

data for such records must come in part from the archives at Washington from those of the States represented, and largely from the immediate friends of the dead. It seems eminently fitting that this should be done; it accords with our intense individualism as a people, with the value we attach to individual life, and it is demanded by the eminent worth of those for whom historic notice would thus be secured.

Grave-marks.—It is conceded that it is imperative to mark graves. Precedent and law demand head-boards. To this I demur, for the following reasons:

The regulation head-board will last from three to five years, and will cost here about one dollar. Now if it is imperative to put up a head-board at first for identification, or sentiment, it is equally imperative to put up a second when the first decays, and to put a third in room of second, and so on *ad infinitum.*

The aggregate cost in marking one grave in this way for a century would be about twenty dollars. I have called to my aid an experienced architect and sculptor, Mr. T. D. Jones, of Cincinnati, Ohio, in making an estimate of the cost of giving monumental honor to every soldier, and at the same time give him a head-stone whose inscribed number, corresponding to inscription on monument, will identify his remains for ages. A fine monument can be erected for each of our sections, with vertical surface sufficient for the inscription of the name, company, regiment and number of grave of each soldier, and a small head-stone for each grave, at a maximum cost of seven and one-half dollars ($7 50) for each one interred. The less the number in a section the less the cost. It is assumed that in a very small scale, and in a very plain manner, this can be done at a cost not exceeding that of a single set of head-boards. The plan of this cemetery, size of the sections, and the nature of the grounds and their surroundings, demand monuments at the maximum cost I have named. I am informed that the legislatures of the States of Pennsylvania and Wisconsin have appropriated five (5) dollars to mark the grave of each of their dead, wherever buried. There can be no doubt that all the loyal States will do this much, or more. This amount added to the cost of head-boards, will almost compass the maximum expense of giving a monumental inscription to every soldier whose identity has been preserved. I would propose equal though different honors to the unknown dead, which class will be large.

This work once completed will last for ages, and will place us as a people as much in advance of other nations in sepultural honors to our noble dead, as we claim to be in civil institutions; and if the general government cannot make provision for the execution of this plan, I trust an appropriation may be made to this cemetery equal to others on a *pro rata* estimate, and that some one, at the proper time, may be allowed to go before the State legislatures and the people to raise the funds necessary to accomplish it. This is not doing too much for our dead, and the desirableness of such a consummation would certainly justify the effort. I am induced to believe that the immediate friends of the dead would contribute a large portion of the amount needed.

Money has frequently been offered to me for stone grave-marks. The finest monument in the cemetery, costing in position about four hundred dollars ($400,) rests upon the grave of a corporal, and shows what a father will do for a soldier son buried far from home.

This cemetery and its surroundings demand for it special favor; and while it might be unjust for the government to give more to it in proportion to number interred than to other cemeteries, it does not seem to be asking too much to request that scope be allowed to complete the plan already advanced in execution with means which, with proper effort, can be added to the appropriations of Congress; at least, may not the grave-marks be omitted, as we do not need them for identifications of remains, until the practicability of the plan proposed is determined. I believe that the æsthetic impulses of our people and their appreciation of heroism exhibited in its highest type by those who have become

the martyrs of our glorious cause will sooner or later find expression in such monumental commemoration as will make a new era in the manifestation of national gratitude.

Work accomplished.—When our army took position at Chattanooga, after the bloody conflict of Chickamauga, the cemetery grounds were covered with a dense forest of large oaks. They were cut down to prevent a lodgement of the enemy in close proximity to our defences, and were afterwards used for fuel. The stumps and loose stones were first removed from the grounds, and, as they were very much encumbered from these two causes, this first step required a large amount of labor. The grounds are now in fine condition, adorned with groups of small trees and flowers of spontaneous growth, and a great number of flowering shrubs and evergreens of various families which I have planted on the sections and throughout the grounds.

Three of the sections have been sodded, walks gravelled in one, and graded in two others. There will be from seven to ten miles of avenues if the original plan is executed. About three miles have been graded and gravelled, and about as many more partially graded. With the completion of all the avenues and walks, the growth and multiplication of trees and shrubs and a complete sward of blue grass, the expression of the whole will be lovely in the extreme. The grounds are susceptible, with little cost, of the highest type of landscape gardening. There can be a perfect system of surprises, for which nature has provided, which, if equalled on other grounds, would cost hundreds of thousands of dollars. The stone wall, enclosing the grounds, has been substantially made without mortar. Its length is about one and one-quarter of a mile ($1\frac{1}{4}$.) A trench was dug one (1) foot deep and three (3) wide, and filled with broken stones to prevent injury from frost. When the turret finish is put upon it there will be a perch of stone to every foot in length. There is a cave upon the grounds, which answers admirably for a receiving vault. With labor this could be made an element of interest of no small moment. Part of the stone for the wall has been quarried in it, and by opening and widening passages in this way its extent could be greatly enlarged. I have thus far superintended the interment of eight thousand five hundred and twelve (8,512) officers and soldiers. More than a moiety of these have been removed from proximate and remote localities.

The dead buried in this vicinity previous to the establishment of the cemetery, those interred on the battle-field of Chickamauga, and those buried at Lenoir, Athens, Charleston, Cleveland, and Kingston, Tennessee, Bridgeport, Alabama, and at other points, have been reinterred here, and, during the march of our armies to Atlanta, we buried of those killed in battle or who died from wounds from twenty (20) to forty (40) per day; and as those who were buried in the wide track of that march were the companions in arms of many already interred here, it seems eminently fitting that their companionship should be extended to their repose in death.

Of the whole number interred, seven thousand seven hundred and forty (7,740) are white, and seven hundred and two (702) are colored troops.

Whole number identified	6,096
Whole number unknown	2,416
Total	8,512

Number of commissioned officers identified	136
Number of non-commissioned officers	600
Number of privates	5,360
Total	6,096

A large number of those removed from Chickamauga were commissioned and non-commissioned officers, but an estimate of their number, even approximating exactness, cannot be made. We buried about forty as commissioned officers, their clothing and other circumstances determining in a general way that they were officers without any indication of exact rank, as I believe that shoulder-straps were found only in one or two instances. But very few buttons were found upon the clothing, and very little valuable clothing except pants was left upon the bodies of our soldiers.

About eight hundred (800) were left on the field unburied by the enemy, but buried where they fell, as soon as we secured possession of the battle-ground. It was easy to distinguish our men from the rebels. The enemy buried his dead with care, in groups, in full dress, and otherwise in such manner as to give evidence of the work of friends. There was less care in the burial of our dead. In many cases a thin coating of earth was thrown upon them as they lay upon the ground. The blue blouse or pants, or blue mould left by their decay, usually furnished corroborative evidence of loyal identity.

Of those removed from Chickamauga, 1,798 are unknown, 154 have been identified—total, 1,952. All this work has been done by soldiers detailed by your orders. The number on duty has depended upon the varied strength of the garrison. The draft for this service has not embarrassed any operation of military imperativeness, but has saved to the country what would have cost, by hired labor, a large sum.

Brevet Major W. A. Wainwright, assistant quartermaster, has recently employed one hundred (100) discharged colored soldiers. With this force and the aid of this energetic officer I hope that I shall soon be able to report that all the dead buried between the tunnel on the Nashville and Chattanooga railroad, and Resaca, Georgia, have been removed and reinterred in this cemetery, a work compassed by the recent order of Brevet Major General J. L. Donaldson, chief quartermaster military division of the Tennessee.

I have the honor to be, very respectfully, your obedient servant,

THOS. B. VAN HORN,

Chaplain United States Army, in charge.

Brigadier General W. D. WHIPPLE,

Chief of Staff, Military Division Tennessee.

C.

OFFICE ASSISTANT QUARTERMASTER UNITED STATES ARMY,
RIVER AND RAIL TRANSPORTATION,
Chattanooga, Tennessee, May 21, 1866.

GENERAL: The board appointed by Special Orders 82, Headquarters Military Division, Tennessee, dated at Nashville, Tennessee, April 26, 1866, to report upon grounds of national cemeteries at Knoxville and Chattanooga, Tennessee, have the honor to submit the following report concerning the grounds at Chattanooga, Tennessee.

The grounds as surveyed are owned by four parties. J. Ruohs owns 76.21 acres; R. M. Hooke 45.28 acres; the heirs of one Ambler 4 acres; and heirs of W. E. Kennedy 1.23 acres; total 126,72. The lands of Ruohs and Hooke compose the cemetery proper. The remaining portions are important for approach as they extend to the railroad at a point suitable for an entrance. The government buildings are on this tract.

There can be no doubt that both Ruohs and Hooke have been disloyal. Mr. Ruohs remained here after the occupation by our army and succeeded in controlling his property and doing business, but this he did while the rebel army held sway, and has grown rich during the entire war. He was in favor with the rebel authorities, civil and military. This is evident from the following facts. While loyal men were refugees he was undisturbed. Mr. Henderson, a loyal man, at one time was appointed to distribute salt donated to the citizens by the rebel authorities, and upon complaint at the county seat that he (Henderson) was giving salt to Union families he was removed and Mr. Ruohs put in his place. We are informed also that Mr. Ruohs gave a lot in Chattanooga to a woman now living here, on condition that her husband should enter the rebel service. He kept men in the rebel army to show his feelings towards the rebel government after he had been rejected by conscription officers himself.

R. M. Hooke is known by all to have been disloyal. He abandoned his property upon the approach of our army, and kept within the rebel lines during the entire war, and only returned to this city about six months since.

These men ask enormous prices for their land, and there has been an evident agreement between them to get as much as possible from the government. When Mr. Hooke was applied to to state the price of his land, he referred the interrogator to Mr. Ruohs, stating that he had the sale in charge.

Mr. Hooke, who owns the land nearest the city, asks $306 75 per acre, and Mr. Ruohs asks $800 per acre. This statement of itself is sufficient evidence of their disloyalty, as no true friend of his government would ask from ten to twenty times the value of land for the interment of our heroic dead.

Mr. Ruohs purchased his land during the war with confederate money, and paid, as we are informed, $100 per acre for 600 acres. That part of the cemetery owned by Ruohs was purchased before the war by Mr. Thomas Crutchfield, who sold to Ruohs, from Mr. Hooke, at $60 per acre, and this while it was covered by valuable timber, which timber constituted its chief value, as Mr. Ruohs stated to Chaplain Van Horn at the time he was informed that it was proposed to use his land for a cemetery.

But little of the ground taken from Mr. Ruohs or Hooke is valuable for cultivation; the stone and timber upon it constituted its chief value. The eminence would have some value as a site for a building. The timber taken from the portion of Mr. Ruohs constitutes a large item in his claim against the government for $36,000, and for further information concerning his status you are respectfully referred to the indorsement of Brevet Major W. A. Wainwright, assistant quartermaster, upon the claim of Mr. Ruohs. Copy herewith enclosed, marked Aa.

We have the concurrence of loyal citizens in fixing the value of the tracts of Ruohs and Hooke at $30 per acre. The heirs of Kennedy are rebels, as was Ambler, who died during the war. His heirs are in Kentucky. The tract of 523 acres is not worth more than $75 per acre, and was not worth this much when the cemetery was located.

We are, general, very respectfully, your obedient servants,

W. A. WAINWRIGHT,
Brevet Major and Assistant Quartermaster.
THOMAS B. VAN HORN,
Post Chaplain, United States Army.

Major General G. H. THOMAS,
Commanding Military Division. Nashville, Tennessee.

CASE OF NATIONAL CEMETERY, CHATTANOOGA.

CHATTANOOGA, *May* 21, 1866.

Report of Brevet Major W. A. Wainwright, assistant quartermaster, and Chaplain T. B. Van Horn, United States army.

* J. Ruohs owns	76.21	acres, $30 per acre.
* R. H. Hook owns	45.28	acres, $30 per acre.
* Heirs of Ambler own	4.00	acres, $30 per acre.
* Heirs of Kennedy own	1.23	acres, $75 per acre.
	126.72	

* All rebels.

OFFICE ASSISTANT QUARTERMASTER UNITED STATES ARMY,
RIVER AND RAIL TRANSPORTATION,
Chattanooga, Tennessee, May 22, 1866.

GENERAL: I have the honor to hand you report made in compliance with Special Order 82, headquarters military division, Tennessee, dated April 26, 1866, upon the grounds of the national cemetery at this place, and do most respectfully ask that the lands described be confiscated (if possible) for the use of the United States government for the purpose named.

I have the honor to be, general, very respectfully, your obedient servant,

W. A. WAINWRIGHT,
Brevet Major and Assistant Quartermaster.

Major General G. H. THOMAS,
Commanding Military Division, Nashville, Tennessee.

QUARTERMASTER GENERAL'S OFFICE,
Washington, D. C, May 4, 1866.

GENERAL: The enclosed claim of Joseph Ruohs for wood, alleged to have been cut from his land by and for the use of the United States army, is herewith respectfully referred to you for investigation and report relative to quantity of wood so cut and used, and the extent of land from which the wood was cut, and the average number of cords per acre.

Very respectfully, your obedient servant,

S. L. BROWN,
Brevet Brigadier General, Chief 5th Division.

By order of Quartermaster General.

Brevet Major General J. L. DONALDSON.
Chief Quartermaster, Nashville, Tennessee.

HEADQUARTERS MILITARY DIVISION OF TENNESSEE,
CHIEF QUARTERMASTER'S OFFICE,
Nashville, Tenn., May 9, 1866.

Respectfully referred to Captain W. A. Wainwright, assistant quartermaster Chattanooga, Tennessee, for investigation and report.

J. L. DONALDSON,
Bvt. Maj. Gen., Chief Q. M. M. D. of Tenn.

OFFICE ASSISTANT QUARTERMASTER,
Chattanooga, May 14, 1866.

Respectfully returned to Major General J. L. Donaldson, chief quartermaster military division of Tennessee.

Mr. Ruohs, the claimant, is personally known to me; has lost a large amount of property during the war, and, to the best of my information, the amount claimed, except the forage—evidence in this case not being conclusive in his favor. I was among the first to enter the city in the capacity of quartermaster, and forage for trains could not be found to the amount of his claim. The lumber was fallen as a military necessity to prevent the lodgment of rebel troops in our front; the price charged is double its worth. At that time Ruohs was called a rebel by his *sister and German friends;* is a cabinetmaker, and worked at his trade before the war, and *manufactured on contract* coffins at this place for the *rebel government;* also furnished horses for the rebel conscripting officers of this district, and informed that he did not own this land said to be cleared before the war, but made the amount by his labors for the "confederacy," and purchased it with confederate money. The clerk of the court says he once certified to loyalty on the statement of Mr. Rider, whose name appears on these papers, but would not do it now, as he believes him a rebel. The German neighbors were surprised to hear (not through this office) that J. D. Blackford, esq., should vouch for his loyalty. I consider the claim should come under the "Murfreesboro' decision," and that the military necessity, under which the property was taken, should exempt the United States government from paying the claim. Mr. R. is the man who owns the greater portion of the land forming the site of the national cemetery at this place; has said the land was worth nothing only for the timber. As the government wants to purchase it for the resting-place of the Union dead, it is now valued at from $300 to $400 per acre, *and was not bought for the timber, but the fine land.* Mr. Ruohs appears to be a man who, during the entire conflict, has bent all his energies to the accumulation of property regardless of *sentiment.* By the rebels he was called a good rebel, and wishes to be called now a Union man. Chaplain Van Horn, United States army, has conferred with Mr. Rider, mentioned within, and his statement is as follows:

Chaplain Van Horn. Mr. Rider, did you ever certify to the loyalty of J. Ruohs?

Mr. Rider. Mr. Ruohs presented me a paper, as he said, to get a pass. I signed the same without knowing its purport. In a few days Mr. Wm. Crutchfield came to me and said, I think, "Rider, we have certified to what is not true in regard to Mr. Ruohs, as the paper in question makes us say that he is unconditionally loyal."

Mr. Henderson, of this city, had charge of a lot of salt furnished by confederate authorities for distribution, and gave some of it to Union people. Complaint was made to the authorities of Harrison, the county seat of this county, and Mr. Henderson was immediately removed, and Mr. Ruohs appointed in his place. Mr. Ruohs admits to Chaplain Van Horn that he sold *gold* to get *confederate money to pay for his property.* A piece of property stands in this city that Mr. Ruohs gave to Mr. Kane, deeding same to Mary Kane, his wife, to enlist in the confederate service.

W. A. WAINWRIGHT,
Brevet Major and Assistant Quartermaster.

HEADQUARTERS MILITARY DIVISION OF TENNESSEE,
Nashville, Tennessee, May 21, 1866.

Respectfully returned to the Quartermaster General. Under Captain Wainwright's report, I cannot recommend any compensation to Mr. Ruohs.

J. L. DONALDSON,
Bvt. Maj. Gen., Chief Q. M. M. D. of Tenn.

D.

HEADQUARTERS MILITARY DIVISION OF TENNESSEE,
CHIEF QUARTERMASTER'S OFFICE,
Nashville, Tenn., June 12, 1866.

GENERAL: I regret to state that, after making all the arrangements to purchase the land reported upon for a national cemetery at Nashville, an objection is interposed to consummate the sale on the ground that a Mr. Mancy (formerly the confederate general) had purchased a portion of the land, and advanced some money on it, and the sale could not be consummated till he was heard from. The heirs of one who is dead, and who purchased the other part of the land, must also be consulted. So the courts decide. This will require at least forty days, and my impression is, it has gotten out that we want to buy land for a cemetery; and if so, the thing may be indefinitely postponed. The same state of things exist at Franklin, and the more I examine the question of cemeteries, the more I am convinced that there is a determined opposition here to our acquiring land for such a purpose. I have aimed to keep the matter quiet, but the moment one of my agents inquires for land, he is asked what he wants it for? If he answers, he wants it for a national cemetery, the reply at once is, "I have no land for sale." Then, as to seizing land, the time has gone by for that, unless authorized specifically from the War Department, as General Thomas declines to exercise the power unless so authorized. In this connexion, I enclose copy of a letter I addressed Hon. Horace H. Harrison, United States district attorney, on the right of the United States to seize land, and his reply, from which it would appear that the power undoubtedly resides in the government to seize land for public purposes, but, as before stated, General Thomas declines exercising the power unless specifically authorized to do so. Is it too much, therefore, for me to ask that he be empowered to do so? I see not how I can otherwise carry out the desires of the department and the just expectations of the country without some such power either delegated to him or myself.

Again: Another difficulty in our way is the formalities which precede purchase of land where it can be effected, the platting, the delays in communicating with your office, and obtaining your consent as to price, &c. Why not remit the whole subject to myself, subject, of course, to the supervision and consent of General Thomas. Let us select the land, seize it if necessary, make the deed, consummate the thing, and then submit it to the department. We may, in some cases, pay too much for land, but would your supervision prevent that? and, after all, the cost of the land is the smallest item in establishing a cemetery. The number of officers now in the division is very small. I shall have to operate in many cases by agents; the field is vast; the cases are pressing, and many officers are indifferent, or do not seem to realize the importance of the matter. If, then, there are seeming shortcomings on the part of this office, I beg you to believe it is not for want of proper action. Give me the authority to do the thing promptly, and it shall be done..

Touching Mr. Harrison's suggestion about the Hermitage property, I have to say, that it is admirably adapted for a cemetery; but it is too remote, (nine miles from Nashville, on the Lebanon pike,) in the first place, and it would cost too

much to transport twenty thousand bodies there. Otherwise I would be glad to have it, for there would be a certain fitness in the homestead of Jackson being the resting-place of those who laid down their lives to perpetuate the Union.

Very respectfully, your obedient servant,

J. L. DONALDSON,
Bvt. Maj. Gen., Chief Q. M. M. D. of Tenn.

Brevet Major General M. C. MEIGS,
Quartermaster General U. S. A., Washington, D. C.

HEADQUARTERS MILITARY DIVISION OF THE TENNESSEE,
CHIEF QUARTERMASTER'S OFFICE,
Nashville, Tenn., June 8, 1866.

DEAR SIR: William McQuithy has been directed by me to see you in reference to some land which I directed Major Mills to purchase on the Louisiana and Nashville railroad for a national cemetery. The land was agreed to be taken by Major Mills, but a General Maney has stepped in and claims that he has prior claim by purchase.

It is very desirable to get the land, enclose it, and proceed to work as soon as possible, and I would like to have your legal opinion as to the right of the United States to seize the land for the purpose stated, and its liabilities under such seizure.

Very respectfully,

J. L. DONALDSON,
Bvt. Maj. Gen., Chief Q. M. M. D. of Tenn.

Hon. HORACE HARRISON,
U. S. Dist. Att'y, Nashville.

E.

OFFICE UNITED STATES DISTRICT ATTORNEY,
Nashville, Tenn., June 11, 1866.

In reply to your communication of the 8th instant, requesting my legal opinion as to the right of the United States to seize some land which you had directed Major Mills to purchase for a national cemetery, and as to the liabilities of the United States under such seizure, I have to state that the right is undoubted. It is an incident of sovereignty of every government that it may take private property for public use; of the necessity or expediency of which the government must judge, but the obligation to make just compensation is concomitant with the right. This principle of public law is recognized in the 5th article of the amendments to the Constitution of the United States.

The only liability (if such it may be called) incurred by the United States is to make just compensation for the property taken. Upon ascertaining the compensation, and making it, there is a complete divestiture of title of all concerned, and a vestiture thereof in the United States.

I have seen no act of Congress authorizing the taking or purchasing property for national cemeteries; I have heard, however, that such an act was recently passed. If so, and that act directs the mode to be observed in ascertaining the value of land taken for such purpose, that mode, of course, will have to be followed. If such a law has been passed, and you have a copy thereof, I can, upon being furnished with it, give you a more reliable opinion as to the mode of procedure in the ascertainment of the compensation to be paid the owner of the land.

I shall, for the present, await your reply as to whether the law or orders under which you are proceeding in this matter gives any direction as to the question of the mode of ascertaining the compensation to be paid the owner of the land.

In connexion with this subject of a national cemetery for the interment of our dead, I beg to say that I had a conversation with Hon. John Trimble, senator from this county, who informs me that the senate has passed a bill tendering to the United States two hundred acres of the "Hermitage" tract, to be used as the United States may see fit, and directing the governor to make a title thereto to the government upon its accepting the grant.

Mr. Trimble suggested that this tract, which is a beautiful one, might be appropriately used for the purpose of interring the soldiers of the Union. You have the suggestion.

Truly,

HORACE H. HARRISON.

J. L DONALDSON,
Brt. Maj. Gen., Chief Q. M. M. D.of Tenn.

F.

HEADQUARTERS MILITARY DIVISION OF THE TENNESSEE,
CHIEF QUARTERMASTER'S OFFICE,
Nashville, Tennessee, June 22, 1866.

GENERAL: In compliance with your communication of the 14th instant, asking for a sketch of the history of the occupation of the ground used for a national cemetery at Chattanooga, I have the honor to enclose herewith a report on the subject, made by Chaplain Van Horn, the officer in charge of the cemetery, which furnishes the required information.

I am, very respectfully, your obedient servant,

J. L. DONALDSON,
Brt. Maj. Gen., Chief Q. M. M. D. of Tenn.

Brevet Major General M. C. MEIGS,
Quartermaster General United States Army,
Washington, D. C.

G.

OFFICE NATIONAL CEMETERY,
Chattanooga, Tennessee, June 20, 1866.

SIR: I have the honor to acknowledge the receipt of your communication of the 19th instant, requesting me to furnish the information concerning the national cemetery in this vicinity asked for in enclosed letter from the Quartermaster General. In compliance, I respectfully submit the following statement of facts:

The selection of the site of the cemetery was made a few days after the memorable battle of Chattanooga, which occurred on the 23d, 24th, 25th, 26th, and 27th of November, 1863. On the 25th of December following the cemetery was founded by General Orders No. 296, headquarters department of the Cumberland, a copy of which I herewith enclose.

Previously, however, to the date of this order I was directed by Major General George H. Thomas, commanding the department, to ascertain who were the owners of the land desired for the cemetery. I found, upon inquiry, that the

chief owners were Mr. Ruohs and Mr. Hook. The former was a resident of this city, and the latter was within the rebel lines. I made known to Mr. Ruohs that it was contemplated to use the entire hill for a cemetery. To this he made no objection, but remarked that the land was of little value without the timber, which had been removed from it during the siege of this city by the rebel army under General Bragg.

It was the intention from the first to use all the land now regarded as desirable for the completion of the cemetery. Early in January, 1864, the wall enclosing the cemetery was commenced, as also interments, and before the year closed a large portion of the wall had been built, and the remains of more than four thousand (4,000) soldiers had been buried.

Very respectfully, your obedient servant,

THOMAS B. VAN HORN,
Chaplain United States Army, Superintendent.

Brevet Major General J. L. DONALDSON,
Chief Quartermaster Military Division of the Tennessee.

[General Orders No. 296.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Chattanooga, Tennessee, December 25, 1863.

It is ordered that a national cemetery be founded at this place in commemoration of the battle of Chattanooga, fought November 23d, 24th, 25th, 26th, and 27th, and to provide a proper resting-place for the remains of the brave men who fell upon the fields fought over upon those days, and for the remains of such as may hereafter give up their lives in this region in defending their country against treason and rebellion.

The ground selected for the cemetery is the hill lying beyond the Western and Atlantic railroad, in a southeasterly direction from the town. It is proposed to erect a monument upon the summit of the hill, of such materials as are to be obtained in this vicinity, which, like all the work upon the cemetery, shall be exclusively done by the troops of the army of the Cumberland. Plans for the monument are invited to be sent in to these headquarters.

When the ground is prepared, notice will be given, and all interments of soldiers will thereafter be made in the cemetery, and all now buried in and around the town removed to that place.

By command of Major General George H. Thomas:

WILLIAM D. WHIPPLE,
Assistant Adjutant General.

Official:

THOMAS B. VAN HORN,
Chaplain United States Army.

QUARTERMASTER GENERAL'S OFFICE,
Washington, D. C., June 6, 1866.

SIR: I have the honor to submit to you, with report, a letter of Brevet Major General J. L. Donaldson, chief quartermaster military division of the Tennessee, enclosing the proceedings of a board of officers designated to select a site for a national cemetery at Franklin, Tennessee.

The board report on three sites:

1st. Five tracts of land, Nos. 1 to 5, of five (5) acres each, belonging to J. B. McEwen, valued at $100 per acre.

2d. Three tracts of land, Nos. 6 to 8, five (5) acres each, belonging to D. Hardinen, and valued at $100 per acre.

3d. A tract, No. 9, immediately east of Franklin, belonging to D. Hardiney, valued at $90 per acre. This site is recommended as the best.

The board state that the citizens of Franklin will do everything in their power to defeat the locating of a cemetery there, and will not sell land to the government at any price. In case a location is taken forcibly, a guard of twenty (20) men will be necessary to prevent desecration.

The board, therefore, recommend that *no* national cemetery should be established at Franklin; the cost of removing the five hundred (500) bodies to Nashville, where there is ample room, or Columbia, where land has been donated, being trifling in comparison with the expense of maintaining a guard to protect them at Franklin.

Brevet Major General J. L. Donaldson, in forwarding the above report, states that Major General Thomas wishes to locate a cemetery at Franklin, as an important battle was fought there; but the people are hostile, and will not sell land for such a purpose.

It will, therefore, be necessary to *seize* what is needed. But General Thomas does not feel authorized to seize land; and therefore directs General Donaldson to submit the question to the Quartermaster General, for the requisite authority of the Secretary of War.

In case land cannot be had at Franklin, General Donaldson states the dead can be removed to Columbia, where land has been donated to the government.

In consideration of the facts that the cemetery at Franklin would require a keeper; that the number of bodies is not great, and that the graves will be liable to desecration from the hostility of the people, I would respectfully recommend that authority be not granted to seize land for a national cemetery at Franklin, Tennessee, but that the bodies of all Union soldiers interred there be removed to the national cemetery at Columbia, Tennessee.

This will save the United States an expense of not less than a thousand dollars per year, of keeping up a cemetery at Franklin, without adding to the annual cost of the Columbia cemetery when once established.

I have the honor to be, sir, very respectfully, your obedient servant,

M. C. MEIGS,

Quartermaster General and Brevet Major Gen. U. S. A.

Hon. E. M. STANTON,

Secretary of War.

HEADQUARTERS MILITARY DIVISION OF THE TENNESSEE,
CHIEF QUARTERMASTER'S OFFICE,
Nashville, Tenn., May 27, 1866.

GENERAL: I have the honor to enclose the proceedings of a board of officers designated to select a site for a national cemetery at Franklin, Tennessee.

General Thomas wished to locate a cemetery at Franklin, as an important battle was fought there; but the people are hostile, and will not sell land voluntarily for such a purpose. We will therefore have to seize what may be necessary. But General Thomas, in the present condition of things, does not feel authorized to seize land, and directs me to submit it to you for the requisite authority of the Secretary of War. In case land cannot be had at Franklin, the dead fallen in that battle can be moved to Columbia, where we have land donated to us.

I am, very respectfully, your obedient servant,

J. L. DONALDSON,

Brevet Major General, Chief Quartermaster M. D. T.

Brevet Major General M. C. MEIGS,

Quartermaster General U. S. A., Washington, D. C.

HEADQUARTERS MILITARY DIVISION OF THE TENNESSEE,
ASSISTANT QUARTERMASTER'S OFFICE,
Nashville, Tennessee, May 25, 1866.

GENERAL: I have the honor to transmit herewith proceedings of a board of officers, in duplicate, convened to report upon the prices of land with a view to establishing a national cemetery at Franklin, Tennessee, and beg leave to particularly invite attention to the suggestions concerning the removal of all the bodies of deceased federal soldiers in and around Franklin to Columbia, Tennessee. As a judicious and economical measure it commends itself to the attention of the authorities.

I am, general, very truly, your obedient servant,

A. W. WILLS,
Brevet Major and A. Q. M.

Major General J. L. DONALDSON,
Chief Quartermaster, Military Division Tennessee.

HEADQUARTERS MILITARY DIVISION OF THE TENNESSEE,
ASSISTANT QUARTERMASTER'S OFFICE,
Nashville, Tennessee, May 20, 1866.

Proceedings of a board of officers convened at Nashville, Tennessee, May 20, 1866, pursuant to the following orders, viz:

[Special Orders No. 82.—Extract.]

HEADQUARTERS MILITARY DIVISION OF THE TENNESSEE,
Nashville, Tennessee, April 26, 1866.

* * * * * *

The following named officers are constituted a board to select and report upon the price of land for the purpose of establishing national cemeteries at Stone River, Franklin, and Nashville: Brevet Major A. W. Wills, assistant quartermaster; Captain George W. Marshall, assistant quartermaster; Chaplain William Earnshaw.

By command of Major General Thomas:

GEO. W. HOWARD,
Assistant Adjutant General.

The board met pursuant to the above order. Present, Brevet Major A. W. Wills, assistant quartermaster; Captain George W. Marshall, assistant quartermaster; Chaplain William Earnshaw.

The board then proceeded to examine the prices of certain tracts of land best fitted in their judgment for establishing a national cemetery at Franklin, Tennessee, and after a careful examination of all the facts in the premises, as shown by the report of Captain E. B. Whitman, assistant quartermaster, and also careful personal examination, the board have the honor to report:

I. Five tracts of land, (sites Nos. 1, 2, 3, 4, and 5; see diagram hereto attached,) belonging to J. B. McEwen, and valued at one hundred dollars ($100) per acre. Each of these tracts contains five (5) acres, and any of them are very well adapted to the purpose. The Big Harpeth river flowing through three of these tracts, (sites Nos. 3, 4, and 5,) adds to their beauty and susceptibility of ornamentation. This land is situated about one-half (½) mile from Franklin, Tennessee, fronts on the Nashville and Decatur railroad, and but a few yards east of the Franklin pike, and hence affords easy access.

II. Three tracts of land situated about two hundred (200) yards east of the Nashville and Decatur railroad; (the depot referred to is located east, and immediately contiguous to Franklin, though not surrounded by the town.) They contain five (5) acres each, belong to D. Hardinen, and are also valued at one hundred dollars ($100) per acre. This land is equally as eligible as sites Nos. 1, 2, 3, 4, and 5.

III. A tract (site No. 9) situated immediately east of Franklin, about two hundred (200) yards from the railroad depot, belonging to D. Hardinen, and valued at ninety dollars ($90) per acre. The Big Harpeth river, flowing southward between this tract and the town, not only adds to its beauty and fertility of soil, but affords an effectual barrier against the encroachments likely to be made from its proximity to Franklin. Its surface is undulating, and soil of good depth.

A small fort, situated in the centre of this tract, renders it the more desirable from being the scene of a sanguinary struggle during the late war. Its easy access, convenient distance, and general adaptability to the purpose, commend it highly to consideration.

The board, in considering all the facts and circumstances connected with the selection of a site for the establishment of a national cemetery at Franklin, Tennessee, have endeavored to collect and furnish data from which a purchase might be made without unnecessary delay, at moderate cost, and procure a tract of sufficient size, combining in the greatest degree the necessary requirements to adapt it to the purpose, viz: Convenient distance, easy access, depth of soil, adaptability of surface, natural beauty of scenery, and susceptibility of ornamentation. But, while doing so, the fact cannot be ignored that the citizens of Franklin and its vicinity will do everything in their power to defeat the measure, and will refuse to sell to the government, at any price, when the object of the purchase becomes known; and, in case a favorable location is taken forcible possession of, the presence of a guard of fifteen (15) or twenty (20) men will be an unavoidable necessity to preserve the grounds from violence and desecration; and hence the board would further report:

IV. That, in their judgment, *no* national cemetery should be established at Franklin, Tennessee, the cost of removing bodies to the cemeteries either at Nashville or Columbia being but trifling in comparison with the expense that will be entailed on the government by the maintenance of a sufficient number of watchmen or guards to efficiently protect it. Not to exceed five hundred (500) bodies of deceased federal soldiers are buried in and around Franklin, and there will be ample room for them at either Nashville or Columbia.

At the latter point enough land has been donated to the government to establish a cemetery, and the board is informed that it is excellently adapted to the purpose; hence the necessity of purchasing at Franklin, or otherwise incurring a heavy outlay, will be obviated by their removal to Columbia.

V. The board would therefore respectfully recommend that, if the proper authorities deem it politic to purchase a site at Franklin, site No. 9 be chosen as being better adapted in their judgment than any previously suggested.

The sites suggested by Captain E. B. Whitman, assistant quartermaster, though possessing many advantages, and very desirable in other respects, are not esteemed eligible, from the extremely high price of one, (site No. 2, valued at $200 per acre,) and the other, having been recently sold, cannot be purchased from the present proprietor.

Respectfully submitted:

A. W. WILLS,
Brevet Major and Assistant Quartermaster.
G. W. MARSHALL,
Captain and Assistant Quartermaster.

———————,
Chaplain.

HEADQUARTERS MILITARY DIVISION OF THE TENNESSEE,
CHIEF QUARTERMASTER'S OFFICE,
Nashville, Tenn., June 23, 1866.

GENERAL: I have the honor to submit reports of Brevet Major E. B. Whitman, assistant quartermaster, in charge of selecting sites for cemeteries in the military division of the Tennessee. The reports embrace the following points, viz: Fort Donelson, Pittsburg Landing, or Shiloh, Corinth, Vicksburg.

(A plan of the proposed cemetery at Vicksburg, submitted by Brevet Brigadier General Henry M. Whittlesey, chief quartermaster, department of Mississippi, was forwarded to your office on the 18th instant, and the enclosed plan of Major Whitman, contains the same points, and, *in addition*, exhibits the location of the cemetery on the river; both, therefore, are useful.)

In case I cannot purchase the lands at the several points indicated, I would like authority to seize them, and proceed to work at once.

I am anxious to finish by the end of the year, as there is no knowing when military occupation of the States lately in rebellion may cease; in which event it will be very costly and difficult to operate at the several points.

I am, very respectfully, your obedient servant,

J. L. DONALDSON,
Brevet Major General, Chief Quartermaster M. D. T.

Brevet Major General M. C. MEIGS,
Quartermaster General United States Army, Washington, D. C.

RINDERPEST.

REPORT

FROM

MR. BIDWELL,

CHAIRMAN OF THE COMMITTEE ON AGRICULTURE.

TRANSMITTING

Papers relative to cure of rinderpest in cattle.

JULY 24, 1866.—Ordered to be printed.

MR. SPEAKER: I am instructed by the Committee on Agriculture to report to the House the following letter from the Secretary of State, with the accompanying communication from the United States legation at London, and pamphlets transmitted therewith, relative to the remarkable results attending the use of sulphurous acid gas for the prevention and cure of rinderpest and other diseases of cattle, and recommend that ——— copies be printed for distribution throughout the country.

J. BIDWELL,
Chairman of the Committee on Agriculture,
House of Representatives.

DEPARTMENT OF STATE,
Washington, June 30, 1866.

SIR: I have the honor to enclose a copy of a communication of the 16th instant from the United States legation at London, and the pamphlets which accompanied it, relative to the remarkable results attending the use of sulphurous acid gas for the prevention and cure of rinderpest and other diseases. The importance of the subject will commend these documents to the careful attention of the committee over which you preside. The expediency of causing them to be published for the benefit of the country at large is submitted to your consideration.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. JOHN BIDWELL,
Chairman of the Committee on Agriculture,
House of Representatives.

LEGATION OF THE UNITED STATES,
London, June 16, 1866.

MY DEAR SIR: Mr. Adams has signified to the writers of the enclosed letter that he would transmit it, and the pamphlets to which it refers, to his government, as requested, and I therefore have the honor to forward all these documents to you by his direction, and am

Your most obedient servant,

BENJAMIN MORAN.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Curative Properties of Sulphurous Acid.

6 HILL STREET,
Edinburgh, June 13, 1866.

SIR: Permit us, on behalf of our friend and client, Dr. Dewar, the author of the enclosed pamphlets, to ask permission to send them to you herewith.

Many eminent men of science here, as well as persons of high authority in London, have formed the opinion that the result of Dr. Dewar's experiments may, under God, prove a great boon to humanity.

This is our own and our friend's apology for venturing to trouble you with the enclosures, in the hope that, in the presence of such calamities as cholera and the cattle plague, and alas, perhaps, also the near prospect of the yet more dire calamities attendant on a European war, you may consider the enclosures not unworthy of being transmitted by you to your government.

We may mention that since Dr. Dewar's pamphlet was published last month "hospital gangrene" in four different cases threatened to set in in the surgical hospital attached to the Royal Infirmary in this city, which is under the charge of Professor Syone, a surgeon whose fame is European. Under his direction they immediately commenced fumigation by burning sulphur, as suggested by Dr. Dewar. In all the four cases the gangrene has been effectually stopped.

We believe that the following gentlemen in London, if applied to by you, would not be unwilling to give you their views in regard to the probable value of Mr. Dewar's discovery, namely: Major Cumming Bruce, M. D., Carlton club; Mr. Robert Lowe, M. P., and Mr. Arthur Helps, secretary to the privy council.

We may only add that if you will consider the subject worthy and the occasion opportune for being communicated to your government, we have Dr. Dewar's authority for saying you are at liberty to make any use of his pamphlets that your government may think proper in the way of publication and circulation. His single purpose is to make as widely known as he possibly can what he believes to be information which it concerns humanity to have.

We have the honor to be, sir, your most obedient servants,

DEWELEN &
DEWAR,
Writers to her Majesty's Signet.

Hon. CHARLES FRANCIS ADAMS,
Envoy Extraordinary and Minister
Plenipotentiary of the United States, London.

ON THE APPLICATION OF SULPHUROUS ACID GAS TO THE PREVENTION, LIMITATION, AND CURE OF CONTAGIOUS DISEASES. BY JAMES DEWAR, M. D., KIRKCALDY.

On Disinfection by Sulphurous Acid Gas and its Compounds.

"Il ne reste plus à découvrir que la matière parasiticide, (insecticide,) gaz, poudre ou liquide, qui détruira ces vampires de l'air."—CHAILLOU, *February*, 1866.

As the term "disinfection" presupposes the existence of some vital principle of which it is desirable that one should be rid, and at the same time a conviction that our safety from its deleterious influence lies in the practice of some unusual process which shall insure its destruction, it only remains to select that one whose efficiency is paramount; and if such combine economy with facility of production, as well as of application, it will the more necessarily commend itself to our choice. In fumes of sulphur all these conditions are conveniently presented to us, combined with efficiency in the most reliable degree.

Sulphurous acid gas has been long known and used as a disinfectant of empty apartments, ships, &c.; but its practical usefulness was much curtailed by the unnecessary restrictions imposed regarding it, under the mistaken belief that its fumes could not be, to any extent, inhaled without deleterious consequences. This danger, however, experiment at once proved to have been exaggerated, and accordingly we find now that it can be beneficially and freely applied under circumstances in which formerly it was believed to be forbidden; and I only know of one instance in which the practice was attended by disagreeable results, and that was in a case of chronic bronchitis, in which the consequent difficulty of breathing was very distressing.

Before entering upon the subject of the present memoir, it may be well to premise that our adoption of such an auxiliary implies a belief that the enemy of which we are in pursuit lurks about indefinitely; that its vitality can outlive ordinary processes of decay; and that it is transmitted by, or at least is located in, the atmosphere. This being the case, we may as well assume that the germs are of parasitic, most of them of vegetable, origin; that some retain their peculiar properties, independent of temperature or climate; and that some even can (as in cholera) in a dry climate, in the form of dust, be carried by the wind to distant points, where, as they absorb moisture, they regain their power of spreading devastation.

As a few practical facts are worth pages of theory, I will now explain the method by which the process here recommended is conducted; and the first experiment, I beg to be understood, refers to the plan being carried into operation in byres or apartments occupied by their ordinary tenants; and as this can be accomplished not only without detriment to them, but to their positive advantage, there need be no hesitation as to its adoption. "Sulphurous acid gas," which is evolved when sulphur is burned in the open air, is fatal to all parasitic germs; and as it has been by experience proved that man and other animals can safely respire an atmosphere admixed with it to such a degree as can forbid the coexistence of any such dangerous influences, we may easily render the objects of our interest inaccessible to them, and that by a very simple mode of procedure.

My experiments having been instituted more particularly in connexion with cattle plague, I am therefore most conversant with the system as it has been practiced in byres, &c.; and accordingly I find that the most convenient and safest apparatus consists of a chaffer two-thirds full of red cinders, a crucible inserted therein, and a piece of sulphur stick.

A piece of sulphur of the length of a man's thumb will burn for about twenty minutes, and will be amply sufficient for a byre containing six cattle; and if the usual attention has been paid to means of ventilation, which ought to be constant in their operation, the attendant may shut himself in along with the cattle without the slightest risk of detriment to either.

My own cattle have been thus treated for nearly four months, four times a day, and hundreds of others likewise, to their manifest enjoyment; and many of my friends and correspondents are so satisfied of the general advantages arising from its use that they have intimated to me their intention of continuing the practice, irrespective of the existence of any special epidemic. That exposure to the fumes directly, as well as indirectly, conduces to the animal's health, all of them admit; and the "blooming condition" of those which have the benefit of it is of itself sufficient evidence of its hygienic virtues. This it no doubt effects partly through its recognized tonic attributes, but also, and perhaps in a no less important degree, by its securing them, in virtue of its disinfecting properties, against the depressing influence of those elements of decomposition with which the air is contaminated, and with which otherwise they are left to contend; for it should ever be borne in mind that scrupulous sanitary measures—in other words, cleanliness and pure air—strictly enforced, of themselves play no unimportant part in the management of epidemics. These facts, confirmatory of its prophylactic attributes, alone possess abundant scientific and social interest; but they are completely overshadowed by the unexpected revelation that sulphurous acid gas is practically available for protection from, and the cure and even extirpation of, various contagious and other diseases.

It will simplify the understanding of what follows, if it be taken for granted that the terms "contagious" and "epidemic" are essentially of the same import; for in the one case the individual goes to the poison, while in the other the poison finds its way to the individual. As to the entire competency of the simple process under consideration for the duty in regard to which these experiments were first instituted, no one familiar with such matters will readily question; and although cattle plague, like other epidemics, is admittedly capricious in its course and progress, it is as reassuring as it is gratifying to be able to state that, out of scores of homesteads where the system has been, from first to last, thoroughly and determinedly practiced, there has not been, as far as I have been able to learn, any case of illness, not to say of death, among cattle from any epidemic cause whatever. And not only so, but this has also been accompanied by the disappearance of those ailments whose recurrence could be foretold as confidently as that of the seasons of the year, viz., ringworm, mange, angleberries, lice, &c.; and where such existed, before the system was utilized, their cure and extirpation were very easily attained. A horse, *malgré lui*, likewise reaped benefit from the process; for having been a few times unintentionally fumigated, the owner was amazed to find that obstinate "grease of the heels" had meantime been cured.

Over pleuro-pneumonia, too, it would seem to enjoy an equal power of extinction; of which the following case affords strongly conclusive evidence:

A large dairy in this immediate neighborhood has, I have been informed, for nearly thirty years maintained a notorious character for mortality among its cows. The present tenant, during his occupancy of about eight years, had never been, up to the first of November last, one whole month without having this disease among his stock; and within twelve months of that date he had buried sixteen cows, the last of these only three days before he began to fumigate. From that time till now his byres have been perfectly healthy.

Among the attendants upon cattle, where the system has been faithfully attended to, chilblains and chapped hands have been entirely unknown; and many, to whom these pests were the only trouble in life, have with perfect success fumigated themselves, alike for their prevention and cure.

In a very fatal epidemic among sheep, the symptoms and morbid appearances in which were so very similar to what I had witnessed in cattle as to leave no doubt in my mind as to its close relationship, at least, to rinderpest, the results of the experiment were eminently satisfactory where the remedy was heartily and honestly applied, this having been speedily followed by amelioration in the form, as well as limitation in the spread, of the malady.

There is yet another aspect, and the most interesting, because most unexpected and most important of all, in which we are encouraged to look hopefully for some help in sulphur. The case to which I more particularly refer was one of advanced phthisis in the person of my own groom, whose downward progress others, as well as myself, watched with hopeless concern. Previous to January last he had for months been wasting, coughing, spitting blood repeatedly, and sweating profusely. His death was reported again and again, and to such an issue both he and I had looked forward as inevitable. I had got, one day, some cattle for experiment from a farm where the disease was raging, (and which was cleared out within ten days thereafter;) and although C. was quite unfit for any exertion, as I could depend upon his fidelity for superintending the process, I begged that he would endeavor to see it done for fourteen days or so, (the critical time,) lest infection should have been imported with them. He said he would try, and at once proceeded with the plan, which he has up to this day conducted with perfect success, as far as my cattle are concerned, (they are the only living ones of the original herd,) and with the most wonderful benefit to his own health which can be conceived. Within one week, the night-sweats had ceased; his cough gradually abated, and the expectoration diminished; and he has progressively gained weight, as he says, nearly two stones within four months. He is now dependent for his life upon one lung only, or nearly so; but, with the exception of his being somewhat short-winded—for a like reason that a man with only one leg must of necessity be lame—he looks nearly as strong, and is as able for ordinary stable work, as he was previous to his illness. I have shown this case to Professor Sir J. Y. Simpson, Bart., and other professional friends in Edinburgh, who are quite conversant with the facts regarding it.

Another and somewhat similar instance is that of a young woman of twenty, who for some months before the last week of March had been wasting, coughing, &c. I saw her then for the first time, and told her about fumigating. She at once adopted it, and has since filled her room with "fumes" three times a day with manifest advantage; for while there is still evidence of extensive pulmonary disease, (over which we are as yet ignorant whether they can exercise any permanent sanitary influence,) her condition has manifestly improved, and her cough been materially relieved. She tells me that she used to weary for the time coming, as the process uniformly gave her a feeling of relief. She is now able to be out of bed half the day; and her mother reports that she "sleeps like a child."

Another case of "chronic phthisis" in a female of thirty has been wonderfully soothed by the same means, which always induce in her a desire to sleep, and to which blessed restorative she had been long a stranger, until the idea of comfort in this way was suggested to her.

Two middle-aged men, similarly affected, as reported to me by well-qualified professional brethren, in different parts of the country, have equally benefited by the system, under very unpromising circumstances; and many in this neighborhood have had recourse to it in the domestic management of obstinate colds, with the most favorable results. In several cases of children, likewise, liable to anomalous but frequent attacks of feverish cold, it has proved of the greatest service.

These interesting facts regarding the use of sulphurous acid gas, in connexion with diseases of the chest, are not adduced as by any means conclusive evi-

dence of sanitary value; but the unlooked-for issue of the experiment, in so far as it has in no instance been attended by otherwise than beneficial results, surely warrants further and wider investigation.

An epidemic of "diphtheria," which appeared in a bothy of journeymen gardeners, under my own care, was at once cut short by it. One case, then a second, occurred within twenty-four hours, and a third man was suspiciously shivering at the fireside. Two fumigations cured them. It went no futher, and all the men were at work on the second day thereafter.

The results of experience of this mode of treating recognized epidemic and other diseases lead to the conviction that many of these, although apparently dissimilar, in reality have many points of resemblance, and certain common relations, both of origin and existence. Our opportunities for closely observing facts have been much too limited to admit of any positive deductions; but, such as they are, they converge towards establishing the plausible theory of the dependence of many of these upon the presence of poisonous fungi; and that such agencies are constant in their operation is proved by this fact, that all that is requisite to insure their speedy manifestation is to present to them the conditions favorable to their propagation. That they are indestructible by the ordinary natural process can be familiarly proved by the certain reappearance of ringworm, &c., in places once infected; and that they are ever ready to take us at a disadvantage, chilblains and chapped hands give annually too many painful illustrations. That these latter affections should have anything in common with consumption few will be prepared to believe; but when we find all of them associated with, and doubtless dependent upon, the presence of an infinitesimal fungus, the apparent discrepancy will at once vanish. "Fungi" are found to exist in connexion with ulcers of various sorts, chapped hands, &c.; and on exposure to sulphurous acid gas, these plants die, and the ulcers quickly heal. Fungi have been detected both in the sputa of phthisical patients, and also in the cavities from which such were expelled; and I think that there is justifiable reason to believe that this ulceration of the lung may have a like dependence upon the presence of a lurking parasite, as these ulcers have which exist upon the surface of the body. *Faute de mieux,* this is a warrantable theory, which is, moreover, substantiated by the somewhat marvellous and otherwise inexplicable results of the experience of "sulphurous acid inhalation."

In verification so far of the foregoing deeply interesting and important facts, it is with no small feeling of satisfaction that I refer to the opinion of Dr. Halliday Douglas, of Edinburgh, whose name will be considered an ample guarantee for accuracy of diagnosis; and of the impression which the cases referred to made upon him, the subjoined memorandum gives a very succinct detail; and that upon the whole it was a favorable one, is best evinced by his expressed intention of putting the matter to the test of further experiment.

Upon a topic of such grave individual and social interest it behooves us to speak warily, lest, by permitting ourselves to be oversanguine, we should reap only disappointment; but I think it is not unwarrantable to look to this unhoped-for expedient as a means of immediate practical good in that weary cachectic state which precedes more definite morbid conditions. "The fumes" can be safely breathed even by young children, in whom I have known *nameless delicacy* decidedly benefited by it. By reason of its acknowledged tonic virtues, too, it will doubtless fortify them against those ever-recurring colds which, in more ways than one, conduce to the development of more serious mischief; and as the air, mixed with this gas, must of necessity be purified from every noxious element, we are encouraged to the adoption of the process by the well-founded prospect of deriving from it speedy and varied advantage.

So much for the applicability of this process to the persons *of living animals;* but it is capable of extensive utilization in the direction of disinfecting "inanimate objects." In this instance we may at once, and without

scruple, proceed to intensify the "sulphurous vapor" by whatever means we can conveniently command. Steam can anywhere be improvised without much difficulty, and this of itself is an important adjunct, of the sufficiency of which as a disinfectant, in combination with *the* fumes, one experiment will suffice to convince the most incredulous. The simple addition of a little nitre, however, inconceivably strengthens our hands in the process, and I sincerely trust, therefore, that a process of such undeniable efficiency may be kept in view in the official instructions as to "disinfection" generally. Fumes and steam are, in all probability, sufficient for every purpose; but, as the addition of a little nitre extemporizes *vitriol in vapor*, it may easily be understood how its power should be irresistible, while its facility of application would render it peculiarly suited to the purification of inanimate objects, combining as it does the *maximum* of energy with the *minimum* of expense. Hides, in this way, could be *made safe* at less than twopence each, exclusive of a merely nominal expenditure of manual labor; and as the disinfectant is present in a state of vapor, its equal and thorough application to everything within reach is, by the very nature of things, secured.

And if the operation of thorough purification is to be carried out so as to afford complete security, some means must be employed to *insure* the annihilation of those germs against which our efforts are directed. Let, therefore, the cleansing of byres, &c., be preceded by, carried on, and completed *during* the process of dry fumigation, which, if properly conducted, will necessarily render them incapable of further evil influence. The use of "lime," *in the first instance*, ought to be authoritatively forbidden; for the only good of "whitewash" will be to conceal and imprison the poison, which may at any time be released, to repeat to us its tale of disaster.

The latest official instructions upon this subject are antiquated, cumbersome, and insufficient; for of what practical value can the "burning of sulphur underneath a bale of wool" have upon insuring its sanitary safety? Fumes, *under ordinary pressure*, will not enter the substance of the bale, so that in reality the process, as recommended, is to little purpose.

Another direction in which fumes might be turned with advantage is to the purification of common sewers; for, with the help of steam power, they might be made to permeate every hole and corner, with the best results and at little expense. At any time the system might be carried into operation with salutary benefit; but more especially in case of drought it would secure us from one of its attendant evils, and would at the same time enable us to economize our supplies of water.

In conclusion, permit me to say a few words about the conditions and circumstances under which alone parasites can successfully invade the animal body. Of these, depreciation of constitutional vigor is the most immediately important, as offering to those noxious cells, by which we are ever surrounded, a soil suited for their germination; and as this state of *lowered* vitality is readily engendered, and certainly aggravated, by neglect of strict personal as well as social sanitary observance, it will easily be understood in how far we may be said with truth to have our lives in our own hands.

The foregoing data so far attest that the prophylactic agency of sulphurous acid gas can be safely and with confidence relied upon for the prevention and limitation of epidemic diseases. And surely there could not be a more appropriate time than the present for directing public attention to any means by which such scourges can be warded off, or their virulence moderated; for, with the ominous knocking of cholera at our doors, it is full time for us to be upon the alert to do our very utmost to remove every sanitary defect, the ignoring of which, it has been over and over again proved, invites their approach and favors their dissemination.

Next comes the question of *limitation;* and a word of explanation will at once show the importance of intelligent attention to the means recommended

for this important end. The best authorities tell us that it is in *the bowel discharges* that the germs of such diseases exist, and that it is in these, upon exposure to atmospheric air, that they more especially multiply with a rapidity and to an extent that is inconceivable; hence the unspeakable importance of having *such instantly disinfected* by some convenient and trustworthy agent In either diluted sulphuric or sulphurous acids will be found an economical and infallible remedy, which ought upon every occasion to be and *at once* had recourse to.

For the preservation of attendants, and perhaps to the direct advantage of the patient, fumigation by sulphur fumes may be practiced constantly or as frequently as to insure *a permanent taint* in the apartment; and as the general testimony in my experience bears towards its *exhilarating* effects, this property alone is one of the most material interest in the management of diseases of a class that test to the uttermost the resources of a vigorous constitution.

Since the above was written, I have perused with interest an article in the Medical Times and Gazette, in regard to Dr. Giovanni Polli's experiments with sulphites and hyposulphites of potass, &c., &c. He proposes, by their administration, to render animals insusceptible of zymotic changes, (fermentation.) It will easily be appreciated that the active agent, "sulphurous acid," should find access to the blood more readily by "inhalation" than by any other mode of introduction; and it possesses the double advantage of enabling the blood to resist the action of the germ which does the mischief, and of exercising upon such germ the power of extermination.

APPENDIX.

KINROSS, *May* 3, 1866.

DEAR SIR: In terms of the instructions of the commissioners of supply for this county, I have much pleasure in forwarding to you the annexed extract from the minutes of the annual general meeting here on Monday last.

I am, &c.,

RO. BURNS BEGG, JR.,
Clerk of Supply.

JAMES DEWAR, Esq., M. D., *Kirkcaldy.*

Extract from minutes of annual general meeting of the commissioners of supply for Kinross-shire, held at Kinross, April 30, 1866.

Harry Young, of Cleish, convener of the county, in the chair.

"On the motion of Mr. Brown Morison, of Finderlie, a vote of thanks was unanimously accorded by the meeting to Dr. James Dewar, Kirkcaldy, for the great trouble he has taken, and the valuable aid he has given, in this and the adjoining counties, in reference to the use of disinfectants under the cattle diseases prevention act; and the clerk of supply was instructed to write to Dr. Dewar, with an extract of this resolution."

RO. BURNS BEGG, JR.,
Clerk of Supply for Kinross-shire.

Memorandum by A. Halliday Douglas, esq., M. D., F. R. C. P., Edinburgh.

33 QUEEN STREET, EDINBURGH, *May* 7, 1866.

I have been strongly impressed by the simplicity of Dr. Dewar's process for employing sulphurous acid gas as a disinfectant in the cattle plague. The importance of the subject demands that the plan should be thoroughly and speedily tested; but at present I mean to refer to the important influence Dr. Dewar has observed sulphur fumigations to exert on diseases in the human subject.

At the request of Dr. Dewar I visited with him, on the 5th instant, three cases in which the patients had been subjected to sulphur fumigations for periods varying from three

months to three weeks, with results which are very remarkable. In each of these cases tubercular disease of the lungs had occasioned some of its worst effects; and, according to the account the patients give of themselves, a marked and very cheering mitigation of their distress had thus early followed the use of the fumigation.

The first case was that of A—— C——, aged 44. He presented the appearance of broken health, but was able to follow his employment as Dr. Dewar's stable servant. He did not appear breathless, though he had ascended a long stair to see me; he had no cough, and said he had gained a stone and a half in weight.

On examination I found the signs of disease of the right lung. The lung expanded imperfectly during inspiration, and consequently the positive indications of disease were not strongly marked. From his existing condition, however, and from the history he gave of his illness, I had no difficulty in determining that he had been suffering from tubercular disease of the lung, which appeared to have originated in a preceding attack of pleuro-pneumonia.

Three months ago he was helpless from exhausted strength and emaciation, with harassing cough and expectoration.

The second case was that of a girl, A——, aged 20, whose case may be described along with that of the remaining patient, a young woman, —— ——, aged 28.

Both patients presented the ordinary appearance observed in the third stage of phthisis pulmonalis. Both were emaciated, and had suffered from harassing cough, night sweats, and sleeplessness. In the former the deposit of tubercle appeared to involve chiefly the left lung, and the signs of excavation of the lung were not very decided. In the latter case both lungs had suffered from the deposit, and the unmistakable signs of excavation existed over the upper parts of both lungs. In this case the symptoms of the disease had existed for two years.

Both of these patients spoke to me in the strongest terms of the comparative comfort they had enjoyed under the fumigation treatment. "Their cough had become less harassing;" the "night sweats had ceased;" and they "slept night after night for three, four, or five hours uninterruptedly;" and "waking in the early morning, they slept again as they had not done for months before."

These results, though incomplete, are most encouraging, and demand the further investigation of the subject. I have accordingly taken steps for the construction of a chamber for employing sulphur fumigation in connexion with the Chalmers hospital, where I shall be able to test the remedy forthwith.

A. HALLIDAY DOUGLAS.

SULPHUROUS ACID AS A FUMIGANT GENERALLY, AND WITH ESPECIAL REFERENCE TO "RINDERPEST."

I.—*Letter of Dr. Dewar, Kirkcaldy, to the editor of the Scotsman.*

KIRKCALDY, *November* 20, 1865.

SIR: Allow me the privilege of noticing in your paper a valuable remedy in parasitic diseases of man, which, I think, might be turned to account in more ways than one in the management of rinderpest. It is of little practical moment whether the poison be of animal or vegetable origin; but it is a recognized fact that no virus can retain its vital properties after continued exposure to sulphurous acid gas. I would therefore suggest the free fumigation of all byres and sheds with the fumes of sulphur to the fullest extent that experience would warrant. The natural moisture of the skin would readily absorb it, and give us at once another powerful auxiliary, viz., sulphurous acid.

In sulphurous acid we have an all but infallible remedy for parasites of the skin, and I do not see that their habitat being the inner surface of the body should grant them any immunity from its destructive agency. It is a tonic besides; and in autumnal diarrhœa and dysentery medical men know that its near relative, sulphuric acid, is a remedy of the greatest service. There is yet another important point in regard to it to which I would refer. Suppose an ox's skin to be more or less full of germs, or spores, which had not yet germinated, the fumigant would nip them in the embryo; and again, should the poison find access there within a limited time, they would likewise be rendered inert, each animal being vested within an individual cordon, which only required to be renewed from time to time to preserve its efficiency.

I do not despair of this simple, safe, and economical plan before long letting some daylight through the difficult problem as to the transportation of cattle, for an ox whose hide was impregnated with this gas would be safe from the effects of any germs so long as the acid was of sufficient strength to overcome them. As to this latter point, I will, in conclusion, allude to one fact which has a direct practical bearing. I was engaged on Saturday for about an hour in showing the farmers at our market my simple mode of working the process, and on my return home I took off my coat and hung it in a spare room, the door and window of

which had been, during the interval, open, and this morning, after a lapse of forty hours, on applying a piece of moist litmus paper to the cloth, the acid reaction was soon apparent.

I hope soon to have an opportunity of exposing a dog to the infection, and of ascertaining whether fumigation, or even immersion, would remove the danger of contagion from him. I must now apologize to you for encroaching so far on your space, my only excuse being a desire to contribute my mite towards lightening the burden which now presses so heavily on many of our friends.

I am, &c.

JAMES DEWAR, *M. D.*

II.—*Letter sent to the Times, but not inserted.**

KIRKCALDY, N. B., *January* 13, 1866.

SIR: As we make but little progress towards any method of successful treatment in rinderpest, I will feel obliged by your giving me your attention for a little while that I may bring under your notice a very familiar and efficient, although neglected, fumigant, which is eminently calculated to destroy the miasmatic germs by which it is believed that cattle plague is disseminated. Of all disinfectants it is the most powerful; and by reason of the readiness with which it is absorbed by organic substances, it is persistent to an extent that is very remarkable. No authority will question that sulphurous acid gas (obtained by burning sulphur in the open air) is capable of rendering inert any seeds of epidemics that may hover around us, and all that is required is simply a few detailed experiments to ascertain what proportion of the agent is necessary for the attainment of an object of such very serious importance.

Not to trespass further upon you as to theory, I will now ask you to read the following account of my experience of the plan suggested, and which has been most rigidly followed out by many of my friends for the last ten weeks, and of the honesty of their testimony I have been personally cognizant.

I need scarcely inform you that in Fife the plague has been both prevalent and fatal; but I am glad to say, that out of fully *twenty* homesteads, where strict sanitary measures and intelligent fumigation with sulphur-fumes have been thoroughly and perseveringly attended to, there has been no case of fatal illness among cattle, from any cause whatever.

Beyond these farms alluded to, the fumigation has been practiced at several, at which the disease subsequently appeared, and with the ordinary mortality; but upon inquiry I found that even decency, with regard to cleanliness, had been entirely ignored, and that altogether the system advocated had been but imperfectly put to a trial.

Besides being useful as a preventive, sulphur, in virtue of the persistency with which it *hangs about*, will doubtless prove serviceable in limiting the spread of contagion; for a man's clothes, or an ox's hair, having been recently saturated with its fumes, vital cells could not be conveyed by either in a state fit for germination.

Let me give you a case in point, or at least so far corroborative:

A friend has two farms, the steadings of which are about 1,200 yards apart, and at the distant one the plague appeared early in October in a very virulent form.

The disease lingered until far on in December, and his loss has been little short of thirty head, old and young. Here he used no efficient means of prevention, as the official inspector disapproved; but at home he applied the sulphurous fumigation twice a day, and generally conducted the operation in person. I have his authority for saying, that for weeks he was three or four times a day among his diseased stock, touching them, and even assisting in the administration of medicines, and, without taking any other precaution whatever, he went through his home byres without prejudice to any single occupant.

The process is very simple: *A chaffer of red-hot cinders, a small crucible set into them, and a piece of sulphur stick of the size of a man's thumb dropped into it, will fumigate a large byre in twenty minutes.* Let me beg of your agricultural readers to give it a full and fair trial; and while I fervently trust that they may enjoy an immunity equal to many in this neighborhood, I would urge upon them the necessity of strict sanitary observances, *without which it is vain to hope for benefit from any recommendation whatever.*

One word more, and it is to the effect that if the sulphites are to be of any service, we have here their active principle, which can be administered to a score of cattle as easily as to one; and as it passes into the animal's lungs by inhalation, any one can understand that it will find more convenient access to its blood than if it entered through any other channel.

I could quote many authorities for the rational soundness of the views which I have intruded upon you; but I will merely add, that I write mainly at the instigation of an honored professional friend,† who, now pre-eminent in another department, in his early life laid man-

---

* A similar letter was afterwards sent to the (London) Daily Telegraph, but it was not inserted.

† Professor Syme.

kind forever under the deepest obligations to him, by his having been the first to discover that India-rubber was possessed of the property of rendering cloth water-proof.

I am, &c.,

JAMES DEWAR, *M. D.*

III.—*From the editorial columns of the Daily Review, for February 28, 1866.*

In the stoppage of cattle transit there is confessedly a condition of things favorable to the checking of the cattle plague. But it remains to be seen how far the inverse process of the butcher going to the ox, or what may be called the butcher transit, neutralizes the advantages of the system. The absence of all communication whatever would have given the fullest facilities for "stamping out" the plague; but these facilities are greatly lessened by the necessity which exists for as active a prosecution of the cattle trade as before, under different conditions, but involving a considerable amount of suspicious contact. Viewed in its most favorable light, the system which is now legalized only recognizes the contact theory; it does not profess to meet the epidemic theory, except in so far as cleanliness and the use of disinfectants have been recommended. We think the government bills are very deficient on this latter point, and, when private property was being so freely legislated for, a little more coercion might have been applied alike as to railway trucks—when cattle transit is resumed—as to cattle sheds and yards. It is not often that we enjoy the blessings of a despotism; when applied, we might have as good an illustration of it as possible! Public opinion, however, has been slow to recognize either the epidemic character of the malady, or the advantages of a freer use of disinfectants; but now that the contact theory is being fully applied, and the vast herds of our cattle are fixed to their present localities—so many of them in districts where the direful plague has fully established itself—the question recurs with increasing force: "Can any other measure be applied to give increased confidence in this extreme remedy?" For no great confidence can be felt in mere isolation. It comes far short of the continental appliances, which we are now professing to imitate. The cordon which would have been drawn around many districts in Britain, and within which the animals would have been at once slaughtered, is something widely different from the present isolation. However good in itself, it is confessedly imperfect; it does not supply the recognized conditions of what is called "stamping out," and, at a vast sacrifice of convenience and of property, leaves the issue, on the principles on which it rests, in great uncertainty. The very limited period to which this isolation extends—not more than twice the period of incubation of the disease—suggests the necessity of all subsidiary measures being carefully applied: for, although an order in council may extend the period, the inconvenience to which the non-removal of cattle in England at the Lady-day term would subject farmers and graziers, would prove so great as to make it extremely unlikely that the government will take this action. The remarks made in the House of Lords during the passage of the cattle bill, especially by several peers connected with Scotland, are so very extraordinary as to confirm this view. If noble lords openly indicate their intention to evade the law as far as possible, the continued operation of it cannot be assumed. We therefore think it most important to call attention to the absolute necessity, if the present system is to be fairly applied, and if the best preparation is to be made for the partial removal of cattle on the 25th of March, of the most active measures being adopted in the shape of cleanliness and disinfecting. We think Dr. Dewar's (of Kirkcaldy) system of disinfecting comes in most opportunely at the present juncture. It has been for some time before the public, but, though it has received considerable local favor, it has not had the attention it seems to us to deserve. Dr. Dewar has found out, we believe, the best and cheapest disinfectant; and all infected districts must, to a certain extent, use some form by the bill, while medically, and with other reference than to rinderpest, the investigation is extremely important. But we give Dr. Dewar's statement to us in his own words:

"Sulphur, in the form of fumes, is the most efficient of all fumigants for the purposes of disinfection. It is peculiarly suited to the disinfecting of byres and cattle-sheds, as the occupants suffer no inconvenience from the process, due regard being paid to ventilation. It is admitted that no epidemic germ can retain its vitality when thoroughly exposed to its influence, and experience *goes far* to establish that an ox can safely respire an atmosphere so strongly impregnated with sulphurous acid gas as to secure him from the risk of contagion. *An essential condition* towards success is scrupulous cleanliness. *Manure during its decomposition gives forth effluvia which are unfit for any animal to breathe*, and which, by lowering the tone of his constitutional vigor, predispose him to the invasion of epidemics. They besides, by their presence and continual renewal, render futile all ordinary attempts at fumigation as a prevention of disease, for the agent, having a natural preference for their elements, exhausts itself upon them, and, of course, can only be inoperative elsewhere. Farmers may have every confidence in this simple recommendation *if the conditions are inexorably observed*, for while every day's further experience leads to a similar conclusion, it is important and gratifying to be able to say that out of more than *twenty* homesteads, where the system has been determinedly persisted in, there have only been at *two* of them instances of cattle plague

showing itself n a fatal form. In both of these cases the long immunity enjoyed contributed (along with the hereditary veneration for dung-heaps peculiar to their class) to a neglect of strict sanitary rule on the part of those most interested, and although the results have been unfortunate, and perhaps ill-deserved, they in no way invalidate the title of this familiar and powerful expedient to public confidence for the purposes here indicated; and it only teaches the lesson that no experiment can be fairly or profitably tested unless all the details are strictly complied with."

We understand that in a well-ventilated byre or shed containing twenty to thirty cattle, a bit of sulphur about the size of the thumb may be burned four or five times a day, the fumes passing off, say for about twenty minutes. Dr. Dewar's experiments have been remarkably successful, and fully entitle the remedy to an immediate and very general adoption. As we have said, it constitutes perhaps the cheapest and best disinfectant; but even if it had been such an expensive remedy as some of the specifics which have been recommended, the results which Dr. Dewar has communicated would have conclusively established its claim for the fullest investigation. The immunity which the farmers have had where the remedy is being applied has been very marked, with the exceptions—if they can be called such—alluded to by Dr. Dewar. A curious experiment has been conducted by himself personally. He brought two stirks from an infected herd, had straw and turnips supplied them which had been in close proximity to cattle dying of the plague, and this with perfect impunity—the young cattle remaining free of the disease and in excellent health—the sulphurous acid gas being applied under Dr. Dewar's own directions. Dr. Dewar wishes more fully to test how far animals under the protecting influence of this disinfectant can be exposed to infection with impunity. He is for this purpose anxious to have the stirks referred to placed among an infected herd, or at least, if the free use of the pole-axe renders this well-nigh impossible, in an infected shed or byre. He came over to Edinburgh on Monday to get the necessary authority, and we are glad to learn that the cattle-plague committee granted him a unanimous recommendation that every opportunity should be, by local authority, afforded him for the prosecution of his experiments. We may add that it has also been found that cattle under the influence of this disinfectant have been free from the prevalent maladies of mange, ringworm, lice, &c.

We have said that Dr. Dewar's experiments have an interest beyond their connexion with rinderpest, and we understand that some of the most distinguished medical men of our city have expressed an opinion as to the extreme importance of these experiments in a medical point of view. The results have led to the partial application by them of the disinfectant in our own city.

IV.—*Letter to the editor of the Daily Review.*

SULPHUROUS ACID GAS AS A DISINFECTANT.

"Il ne reste plus à découvrir que la matière parasiticide, gaz, poudre ou liquide, qui détruira ces vampires de l'air."—CHAILLOU, February, 1866.

KIRKCALDY, *March* 3, 1866.

SIR: As the official instructions in regard to disinfection are very complicated, and imply the employment of much labor, I beg to call your attention to a very simple mode of attaining the object which combines at once economy with thorough efficiency. It is particularly applicable to the purification of wooden substances, and in all cases should constitute the initiatory step in cleansing byres.

Sulphurous acid gas and water have a natural affinity, and as each can be obtained in a state of vapor, advantage can be taken of this property to facilitate and insure their access to every chink and crevice with the least possible trouble, and subtle though the poison be, it will find more than its match in its relentless enemy. Let the article to be disinfected be exposed to steam until well moistened, and immediately thereafter to the fumes of sulphur for an indefinite period. The result will be that, the vapors having coalesced, sulphurous acid will be deposited everywhere, which, by soaking into the wood, &c., will tend much to render the protecting influence complete and permanent. This suggestion ought to be strictly enforced, otherwise the besom will set myriads of epidemic germs again in motion, ready to begin afresh the dreadful havoc,

The simplicity of the process should recommend it to universal adoption, and, as it can be practiced at a trifling cost, it may be repeated a few times to insure safety.

I am, &c.,

JAMES DEWAR. *M. D.*

V.—*Memorandum by Edinburgh Committee on the Cattle Plague.*

EDINBURGH, *February* 26, 1866.

The Edinburgh committee on the cattle plague, having heard a statement from Dr. Dewar, of Kirkcaldy, in regard to sulphurous acid as a disinfectant and preventive agent in the cattle

plague, and having considered the same, hereby express their unanimous opinion that full opportunity ought to be afforded by the local authorities to that gentleman to move the cattle under experiment to such infected localities as to enable him fully to test the same.

JOHN WILSON,
Chairman, Professor in the University.

VI.—*Memorandum by Sir James Y. Simpson, M. D., Bart.*

EDINBURGH, *February* 26, 1866.

I have seen some of Dr. Dewar's experiments, and have heard both from himself and others of the remarkable preventive effect of the sulphurous acid fumigations. It appears to me that it is a matter of great importance as to the whole questions of the prevention of rinderpest, and the best mode of disinfection, that Dr. Dewar should obtain every reasonable facility to conduct his most interesting experiments to a conclusion. He is performing these experiments at much personal outlay.

J. Y. SIMPSON. *M. D.*

VII.—*Memorandum by James Syme, esq., Professor of Clinical Surgery in the University of Edinburgh.*

2 RUTLAND STREET, EDINBURGH, *March* 5, 1866.

I have all along regarded Dr. Dewar's attempts to combat the cattle plague as the most rational and promising that have been proposed, and I think it of the greatest consequence that he should be afforded the fullest opportunity of pursuing his investigations.*

JAMES SYME.

VIII.—*Letter from Dr. Young, Edinburgh, to Dr. Dewar.*

VETERINARY COLLEGE, EDINBURGH, *March* 6, 1866.

MY DEAR SIR: I have to report that the viscera of the two sheep you sent are undoubtedly affected with "rinderpest." In the one set of viscera, which apparently belong to the carcass sent, the disease is in the incipient stage, as evinced by the slight congestion of the fourth stomach near the œsophageal opening, while, in the other, the disease is fully developed, as shown by the entire congestion of all the stomachs, particularly the fourth, of the intestinal mucous membrane, as well as that of the trachea, and of the lungs themselves.

I remain yours, most sincerely,

P. YOUNG.

IX.—*Letter from Professor Strangeways to Dr. Dewar.*

MARCH 6, 1866.

MY DEAR SIR: In addition to the above report by Dr. Young, I have to add, that part of the viscera of a third sheep which I found wrapped in cloth were, if anything, the worst affected of the three, the mucous membrane of the gall bladder especially being well marked. There can be no doubt about the whole having rinderpest.

I am yours, &c.,

T. STRANGEWAYS.

X.—*Letter from Dr. Dewar to the editor of the Fifeshire Advertiser.*

RINDERPEST IN SHEEP.

KIRKCALDY, *March* 10, 1866.

SIR: As rinderpest in sheep has unquestionably appeared in the neighborhood, I beg that you will give me an opportunity of communicating the following very consolatory fact to your readers. I was asked by my friend, Mr. Landale, Woodbank, to do what I could for his sheep, several of which had died during last week of a disease suspiciously resembling

---

* The three certificates above were obtained with the view of facilitating the proposed removal of one or more *unquestionably healthy cattle to a recently infected byre*, for the purpose of experiment, but hitherto this very desirable object has not been accomplished.

that which carried off so many of his cattle. I saw the flock, of about 180, on Sunday afternoon last, and then learned that since the previous Monday there had been eighteen *seizures* and thirteen *deaths*, six of which "new cases had shown themselves on the Sunday morning." As I had great faith in the efficacy of "sulphur fumes," I looked to that agent as the only resource, and accordingly, having separated the *healthy from the sick*, I set agoing a *very determined system* of fumigation of the animals, (which were in sheds,) and I am happy to say that the disease has been checked up to this (Friday) evening, and that four out of these last attacked have recovered.

That the disease was rinderpest I never had the slightest doubt; but it is important to state that my friends, Professor Strangeways and Dr. Young, of Edinburgh, corroborate my opinion.

I am, &c.,

JAMES DEWAR, *M. D.*

XI.—*Letter from C. L. Cumming Bruce, M. P., to the editor of the Times, but not inserted.*

SENIOR UNITED SERVICE CLUB, *March* 6, 1866.

SIR: Having* read during the last days of January, in a Stirling newspaper, a letter addressed to the provost of that town* by Dr. Dewar, of Kirkcaldy, calling his attention to the use of sulphurous acid as a disinfectant and preventive of the spread, by contagion, of the cattle plague, I was induced, on the first night of the debate on the address in answer to the Queen's speech, to allude to it in my place in Parliament.

Dr. Dewar, with whom I had not the advantage of a personal acquaintance, having read your report of that debate, was good enough to address to me two letters, in which he communicates the results of his experience of the effects of the agent he recommends. Several of my friends, in and out of Parliament, thinking that his system and recommendations deserved a wider circulation than it was in my power to give them, or than they had yet received through the local papers, I am induced to trouble you with the accompanying copy of his letter to the provost of Stirling, and with extracts from the letters he has subsequently addressed to me, together with a copy of a certificate by the Edinburgh committee on the cattle plague, indorsed by Sir James Simpson, who, of his own accord, volunteered this written expression of his opinion.

The importance of the subject will, I trust, induce you to excuse my trespassing on you by endeavoring to obtain through your columns a more extensive attention to his system than I can hope for through any other channel. If, as I believe, he has suggested an efficient PREVENTIVE of the SPREAD of the contagion, he will have rendered unnecessary the wholesale slaughter of cattle which may have been in communication with other infected animals, and thus confer incalculable benefits on the country. I will only add, that in a paper issued by the "Royal Commission on the Cattle Plague," on the 23d February, entitled *Recommendations for Disinfection*, at the bottom of the first page, the fumigation of sheds by burning sulphur is recommended, but with this direction, "taking care that neither men nor animals remain in the shed whilst the burning is going on."

This is entirely at variance with Dr. Dewar's practice, and, as will be seen by the subjoined letters, would seriously detract from the efficiency of the fumigation recommended. His letter of the 20th February was in reply to an inquiry what amount of fumigation might be used without detriment to the animals subjected to it, and to that I would particularly direct attention.

I have the honor to remain, sir, your obedient servant,

C. L. CUMMING BRUCE.

XII.—*Extract of letter from Dr. Dewar to Major C. L. C. Bruce, M. P.*

KIRKCALDY, *Fife, February* 16, 1866.

SIR: By same post I have sent you a copy of the *Courant*, which contains a *résumé* of my theory, which for its foundation has the advantage of this incontestable fact, that sulphurous acid gas is capable of rendering inert whatever spores or germs are brought into contact with it. This being admitted, the rest is mere matter of experimental detail, to ascertain what amount of the gas can be breathed by the ox without prejudice, and if you will not think me wearisome, I will give you a short account of my experience in regard to it.

Forty days ago I purchased, for the purpose of experiment, two yearling cattle, at a farm where the plague was doing its worst, and at the time of the bargain they were located within sixteen feet of a dying animal. I had them removed five miles, to my own premises, and have had them fumigated four times daily ever since, and they are now *the only living* rep-

* That letter was in substance the same as what is printed on p. 10, above.

resentatives of the farmer's original stock. Their safety may be, in some measure, attributable to removal from the infected locality, (a familiar expedient in human epidemics,) but the sulphur has at least done them no harm, and they have been subjected to it for half an hour at a time, till the air was completely obscured. Of these facts my esteemed friend, Mr. Oswald, of Dunnikier, is fully cognizant, and he and his tenantry owe, I believe, their entire immunity hitherto to their persevering attention to the process.

When I had last the pleasure of seeing Sir Robert Anstruther, I talked to him on the subject, but he was more than doubtful about its efficacy, on account of its having notably failed at the place of a friend, where, I am sure, it had every justice done it. But this instance refers to a time when the process was little understood, and consequently insufficiently practiced.

There is another interesting test which I am anxious to try, viz.: whether this agent is a preservative as well as a preventive. I have got the choice of two farms, within easy distance, which have been cleared out by the plague, and I am desirous to obtain the necessary leave to place one of my cattle in a recently infected stall, and of afterwards exposing it to the contagion in every possible but reasonable manner.

This important trial cannot, of course, be at present made, but I will take it as a great privilege if you can assist me in the attainment of my very desirable object. I have every confidence that sulphur would save him, and, indeed, the plan has proved successful in one instance already. A friend of mine took the turnips at a farm which had recently been cleared out; he had the sheds thoroughly cleansed and fumigated, and filled them with stock, which have now been located there *for a month* without any signs of detriment. These animals had, however, been fumigated regularly for some weeks, which no doubt contributed to their preservation.

Let me mention, in conclusion, that during the period when I have had my animals, I have never missed an opportunity of visiting diseased ones, and examining them in every way, both living and dead, and, without hesitation, I visited *my own* each time I had occasion to be at the stable. They have, besides, been mainly fed upon straw and turnips from a farm where the disease was raging, and the *barn door* whence the straw came *was only three feet* from a shed where *one* was dying, and not more than twenty feet from another shed from which fully a score of carcasses were removed.

Trusting you will pardon this intrusion, I remain your obedient servant,

JAMES DEWAR.

XIII.—*Letter from Dr. Dewar to Major C. L. C. Bruce, M. P.*

KIRKCALDY, *February* 20, 1866.

DEAR SIR: I have great pleasure in replying to your letter, and beg to say that, as far as experience can guide one, the animals can bear almost any amount of fumigation; *my* two have the benefit *four* times a day, for about half an hour each time, and even skeptics admit that no inconvenience arises from the process. I was told to-day of one farmer, (who has 100 beasts on Lord Moray's estate here,) who, out of panic, keeps "fire and brimstone gaun nicht and day" without detriment.

I have learned to-day that Major Wemyss, of Wemyss Hall, has, after *free* fumigation with sulphur, transferred several cows and queys to his *recently* diseased byres; *one* of the cows became ill, but recovered quickly, and her fellow occupants are all in perfect health.

When the idea was first mooted, very few could be persuaded that anything new could be got out of sulphur, but now the tide has taken a turn, and the agricultural mind is now open to conviction.

The main difficulty lies in the traditional veneration for dunghills, which I find to be a very *delicate* point; but this I can say, that those who have been most accessible to reason upon this subject are, in this neighborhood, precisely those who are most conspicuous in the *immunity* which they have enjoyed.

The *preservative* virtues of sulphur are very deserving of the fullest investigation, but in the present state of matters we are powerless. I have got ample opportunities of testing them within two miles of me, and *I only want permission to remove three or four* HEALTHY *animals* to a recently depopulated byre. Could you in any way further the experiment? It is surely one whose importance is self-evident.

Believe me, yours, respectfully,

JAMES DEWAR.

XIV.—*Memoranda by Dr. Dewar* in re *sulphur.*

APRIL 7, 1866.

The study of "parasitic diseases" is at all times an interesting and important one, but more especially is it so at the present moment, when we find the somewhat novel views which have been recently enunciated in regard to their probable influence upon the spread of epi-

demics, strangely corroborated by the result of the sulphurous acid fumigation of living animals, which has now been very fully tested in the attempts to stay "cattle plague."

Sulphur and its compounds have been long known and trusted as valuable remedies in various diseases, although the precise manner in which they were productive of benefit was not well understood. Under the very plausible theory, however, that many—and those very discrepant—ailments (as manifested by marked difference in their symptoms, as well as by variety in the seat of the morbid action) are the direct effects of diseased germs, communicated to us through the air we breathe, the very extensive range of sanitary influence possessed by this agent over otherwise incongruous affections is easily explained, and the "reason why" of some startling and apparently inexplicable cures is at once supplied to us.

The host of the scourges of man's existence over which it (namely, sulphurous acid gas) can exercise despotic power is far more numerous than would at first sight be credited; and I will instance a few for which, in the form of "fumes," it is a speedy and perfect cure.

Itch.—Fumigation of the patient, *or even his clothes*, is a convenient and elegant improvement upon the filthy process of inunction.

Chilblain, chapped hands, chapped nipples, (by means of a moistened cloth exposed to the fumes before each application, or in the form of lotion,) *ringworm, lice, mange, and angleberries* have been exterminated in places where for thirty years they have been of annual recurrence. One friend made the following complete experiment: His cattle had all ringworm, as usual, and had been cured several times this season by embrocations of some sort. They were no sooner cured than the disease returned. He applied to me nine weeks ago, when I asked him to try the effect of *four* fumigations. This he practiced on twenty cattle simultaneously, and I think he said one pound of sulphur sufficed. The disease was at once arrested, and it *has not reappeared*. A friend tells me that he has proved that bugs are readily destroyed in this way. My own experience shows that they can set chlorine gas at defiance.

Grease in horses' heels.—A friend who has enjoyed well-merited immunity from "cattle plague," has a mare which for years was a nuisance in the stable, from the noise arising from her constantly scratching her heels one against the other. The men in the bothy could not get sleep for her, and a stall was made for her in a distant byre. She was here unintentionally fumigated, when about a week afterwards the man in charge came to his master, and said: "Dear me, sir, what can be wrong with Bet? she never rubs her heels now!" They looked, and found them healed.

But in addition to the above the same remedy may be applied with beneficial effect to many other and more important diseases. For example—

Diphtheria.—In a well-aired bothy, occupied by journeymen gardeners, I had lately one case of diphtheria; next day a second; and was *suspicious* of a man *cowering* over the fire. They were twice fumigated, and next morning were all well.

Catarrhs.—It is, I believe, an old Irish cure for this, and gives great relief.

Phthisis.—My own groom in January last, before I began experiments at home, was far advanced in consumption, of which every indication could be detected in what remained of his right lung. He wasted to a shadow; and I was frequently asked if it was true that he was dead, and to this result both he and I had long looked forward. He could crawl to the stable with the greatest difficulty, but as I knew that I could depend upon his superintendence I said that I would double his allowance if he could watch the process for ten days. As it implied no labor, he said that he would try, and from that moment his disease was arrested, and he has gone on managing the experiment, without *respect to weather*, and has recovered nearly two stone of weight. He is, of course, breathless, for the same reason that a man with only one leg must of necessity be lame, but he is nevertheless fit for methodical work, and puts a great deal of it through his hands.

Another patient, a female of twenty years of age, has been losing flesh, &c., for some months, and has had a troublesome cough. There is extensive "deposit" under the left clavicle, but there are no moist sounds. I saw her first ten days ago, and advised her to try the fumigation. She told me yesterday that her cough had almost gone, and that she enjoyed the fumigation extremely. Several have borne testimony to its exhilarating effects. I must in candor say, however, that this girl had a small blister applied as well.

Pleuro-pneumonia.—One dairy in this immediate neighborhood has long been notorious for this, and the present tenant repeated to me, a day or two ago, that during his occupancy, about eight years, he had never been, up to October last, *one month clear of it*, and that within twelve months prior to that date he had buried sixteen cows, the last of them only three days before he began to fumigate. He has done so very determinedly up to this time, and during the interval has had no illness among his cows, of any kind whatever.

Apropos of the present subject, the fumes of sulphur are invaluable as a means of purifying the air of hen-houses, kennels, pigeon-houses, &c. Last night a lady, one of my patients in this neighborhood, told me, that lately, when on a visit to a friend in Ireland, she found, to her dismay, that sleep was impossible on account of swarms of fleas. She said nothing, however, but on the second night, before going to bed, she stopped all the air-holes of the room, and gave the inmates a touch of the "fumes," which resulted in her obtaining entire relief from her tormentors during the remainder of her visit, of some weeks.

Another converging fact, and I have done. During the first nine of the last twelve years,

the village of Thornton, in this neighborhood, has been visited by frequent epidemics of scarlatina and measles, which uniformly appeared in a very virulent form. *Three years ago*, a "vitriol work" commenced operations in the immediate vicinity, and, as the clergyman informed me a few days ago, during that period there have only been *two* cases altogether, both of which recovered. This gratifying result appears to be fully accounted for by the fact that, in the manufacture of vitriol, the emanations emitted from the chimneys unavoidably contain, to some extent, fumes of sulphur.

If my experience of the salutary attributes of sulphur be corroborated by further experiments, it will doubtless prove serviceable, both in the prevention, the limitation, and possibly the cure, of other diseases of an epidemic nature.

XV.—*Additional memorandum by Dr. Dewar.*

APRIL 11, 1866.

As the subject of disinfection is one of the most important, practically speaking, which can occupy the attention of the public at the present juncture, I beg that you will give me an opportunity of drawing attention to some facts regarding it. My more immediate object is to enlist the intelligent co-operation of those to whom the details of the purifying process must necessarily be intrusted, and with the view of doing so I would ask them, for a moment, to consider what purpose is intended by having recourse to disinfection.

The word "disinfection" argues a belief in the existence of some noxious vital principle which lurks about the premises, and which necessitates our having recourse to some unusual expedient to effect its destruction. This opinion being entirely in accordance with scientific fact, there only remains for us to select an exterminator which is the most reliable in its action, and which, at the same time, can be produced at the least possible cost, as to money and time. In order to insure and facilitate its thorough application, something in the form of vapor would best guarantee success, and, accordingly, it is matter for the greatest thankfulness that all the conditions requisite for our present purpose are amply and at once supplied to us by the simultaneous admission to the byres of "fumes of sulphur" (intensified or not, according to circumstances, by the addition of a little nitre) and steam. The vapor resulting is, in the one case, a form of "vitriol," searching and potent enough for any purpose, and as it can be extemporized at a few minutes' notice, and at the very minimum of expense, it, and it alone, should be considered as worthy of confidence, for if properly managed, it will prove itself to be infallible. I would warn every one as to the common practice of *whitewashing* as the first step in the process. From recent authorities it appears that germs derived from sources analogous to those under consideration, can bear exposure to the *strongest* alkaline substance, without detriment. In such case *lime is of no use*, but, on the contrary, may indirectly lead to mischief and consequent disappointment. The germs of parasitic diseases *are indestructible by the ordinary processes of nature*, and accordingly they retain their peculiar and, in this instance, poisonous properties, for an indefinite period, so that it will at once be understood how *smearing with whitewash* will merely *imprison* the evil *for a time*, without affording the slightest security against a reappearance of the dreaded pestilence, for as each portion of lime detaches itself from the walls, it will liberate some virus, to recommence, perhaps, the work of devastation. I trust that the authorities will see to it, that the process of disinfection be efficiently carried out, and the application of lime be forbidden until after *free disinfection* has been employed, according to the simple and economical plan herein indicated. Let me, in conclusion, add that no preliminary brushing of walls or roofs should be permitted. Let the manure, *before its removal*, be liberally sprinkled with vitriol and water (1 to 200 would be quite strong enough,) then this having been premised, and all apertures having been duly closed, any byre can be made perfectly safe at a cost not exceeding ½*d.* per stall. Next is the serious question as to the disturbance of heaps of manure, which refuse is all that remains of many a valuable animal; plentiful moistening with vitriol and water is our handiest and most trustworthy appliance. As to the strength of the mixture, something may be gathered from some experiments which I have made with various *dilutions* on "litmus paper." 1 part in 5,000 shows an immediate and distinct reaction, and there is no appreciable difference, in the *shade of red*, between the test papers immersed in a mixture of 1 in 120, and that dipped in the mixture of 1 in 500 or even 1,000. Such being the case, the necessary outlay being quite trifling, public safety should be, as far as possible, secured by its being made compulsory, that both before its removal, and during the operation of filling the carts, the manure should be freely sprinkled with a mixture of say 1 in 300 of vitriol and water. Vitriol costs 2*s.* 6*d.* per gallon, so that at a very moderate figure two large horse barrels could be filled with the valuable protective liquid, which should be carefully distributed over the decomposing mass, so as to fulfil the purpose intended.

NOTE.—I have had a two-year-old quey occupying *the most recently infected byre to which I could obtain access*, for eleven days past. Of course every precaution was used; she is in perfect health.—11th April, 1866.

NAVY YARD AND NAVAL DEPOT AT NEW LONDON.

RESOLUTIONS

OF THE

LEGISLATURE OF CONNECTICUT,

RELATIVE TO A

Navy yard and naval depot at New London, Connecticut.

JULY 25, 1866.—Referred to the Committee on Naval Affairs and ordered to be printed.

At a general assembly of the State of Connecticut, holden at New Haven, in said State, on the first Wednesday in May, in the year of our Lord one thousand eight hundred and sixty-six:

Whereas the city of New London has offered to the United States, as a gift, *three miles* of shore-line on the Thames river, with all the land adjacent thereto which may be required for an iron-clad navy yard; and whereas a "competent board of officers," appointed under an act of Congress in 1862, charged with the special duty of selecting the most eligible site for the purpose, after a "thorough examination and survey of League island," of "the harbor of New London and its surroundings," and "the waters of Narragansett bay," made report that "the public interest will not be promoted by acquiring title to League island for naval purposes," and that "the harbor of New London possesses greater advantages for a navy yard and naval depot than any other location examined by this board;" and whereas, in 1864, the Committee on Naval Affairs, of the House of Representatives, "after a very thorough and careful consideration of the whole subject," concurred with the "board of officers" in their report, and recommended the acceptance of New London instead of League island; and whereas the House of Representatives of the United States have, during the present session, passed an act authorizing the Secretary of the Navy to accept title to League island on certain conditions, to the exclusion of all other sites, notwithstanding the two reports they made against its acceptance; and whereas it is of national importance that the best site for the proposed navy yard should be secured by the United States: Therefore,

Resolved, That we do earnestly request our senators and representatives in Congress to use every proper effort to obtain the passage of an act whereby the comparative merits of each site offered for the purpose may be ascertained, with a view to the adoption of that one by which the public interest will be best promoted.

Resolved, That a copy of the foregoing preamble and resolution be transmitted to the senators and representatives from this State.

Approved June 27, 1866.

STATE OF CONNECTICUT, *Office of Secretary of State, ss:*

I hereby certify that the foregoing is a true copy of record in this office. In testimony whereof, I have hereunto set my hand and affixed the seal of said State, at New Haven, this 27th day of June, A. D. 1866.

[SEAL.]

L. E. PEASE, *Secretary of State.*

39TH CONGRESS, 1st Session. HOUSE OF REPRESENTATIVES. MIS. DOC. No. 130.

APPROPRIATIONS, NEW OFFICERS, &c.

STATEMENTS

SHOWING

I. APPROPRIATIONS MADE DURING THE FIRST SESSION ON THE THIRTY-NINTH CONGRESS.

II. OFFICERS CREATED AND THE SALARIES THEREOF.

III. THE OFFICES THE SALARIES OF WHICH HAVE BEEN INCREASED, WITH THE AMOUNT OF SUCH INCREASE DURING THE SAME PERIOD.

OCTOBER 5, 1866.

PREPARED UNDER THE DIRECTION OF THE SECRETARY OF THE SENATE AND CLERK OF THE HOUSE OF REPRESENTATIVES, IN COMPLIANCE WITH THE SIXTH SECTION OF THE "ACT TO AUTHORIZE THE APPOINTMENT OF ADDITIONAL PAYMASTERS, AND FOR OTHER PURPOSES," APPROVED JULY 4, 1836.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1866.

Object of appropriation.	Amount.	Total.
By the act making appropriation for refurnishing and repairing the President's House.		
For the purpose of refurnishing the President's House and repairing the same		$30,000 00
By the act making appropriations for the payment of invalid and other pensions of the United States for the year ending the thirtieth of June, eighteen hundred and sixty-seven, and additional appropriations for the year ending the thirtieth of June, eighteen hundred and sixty-six.		
For invalid pensions under various acts	$5,500,000 00	
For revolutionary pensions and pensions of widows, children, mothers, and sisters of soldiers, as provided for by acts of March eighteenth, eighteen hundred and eighteen; May fifteenth, eighteen hundred and twenty-eight; June seventh, eighteen hundred and thirty-two; July fourth, eighteen hundred and thirty-six; July seventh, eighteen hundred and thirty-eight; March third, eighteen hundred and forty-three; June seventeenth, eighteen hundred and forty-four; February second, July twenty-first, and July twenty-ninth, eighteen hundred and forty-eight; February third, eighteen hundred and fifty-three; June third, eighteen hundred and fifty-eight; and July fourteenth, eighteen hundred and sixty-two, and for compensation to pension agents and expenses of agencies.	9,800,000 00	
For navy pensions to widows, children, mothers, and sisters, as provided for by acts of August eleventh, eighteen hundred and forty-eight, and July fourteenth, eighteen hundred and sixty-two	140,000 00	
For deficiency in the appropriations for the fiiscal year ending the thirtieth of June, eighteen hundred and sixty-six:		
For revolutionary pensions and pensions of widows, children, mothers, and sisters of soldiers, as provided for by acts of March eighteenth, eighteen hundred and eighteen;		

May fifteenth, eighteen hundred and twenty-eight; June seventh, eighteen hundred and thirty-two; July fourth, eighteen hundred and thirty-six; July seventh, eighteen hundred and thirty-eight; March third, eighteen hundred and forty-three; June seventh, eighteen hundred and forty-four; February second, July twenty-first, and July twenty-ninth, eighteen hundred and forty-eight; February third, eighteen hundred and fifty-three; June third, eighteen hundred and fifty-eight; and July fourteenth, eighteen hundred and sixty-two	2,500,000 00	
		17,940,000 00
By the act authorizing an increase of the clerical force in the Post Office Department.		
For four clerks of class one, seven of class two, fourteen of class three, and four of class four		Indefinite.
By the act to provide for the transfer of the custody of the library of the Smithsonian Institute to the Library of Congress.		
For two additional assistants to the Librarian of Congress	1,800 00	
To defray the expenses of the removal	500 00	
		2,300 00
By the act to amend an act entitled "An act to incorporate a national military and naval asylum for the relief of the totally disabled officers and men of the volunteer forces of the United States."		
For the establishment and support of this asylum, all stoppages or fines adjudged against such officers and soldiers by sentence of court-martial or military commission, over and above the amount necessary for the reimbursement of the government or of individuals, all forfeitures on account of desertion from such service, and all moneys due such deceased officers and soldiers, which now are or may be unclaimed for three years after the death of such officer or soldier		Indefinite.
Amount carried forward		17,972,300 00

Object of appropriation.	Amount.	Total.
Amount brought forward		$17,972,300 00
By the act making additional appropriations, and to supply the deficiencies in the appropriations, for sundry civil expenses of the government for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-six, and for other purposes.		
SURVEY OF THE COAST.		
For the survey of the Atlantic and Gulf coasts of the United States, including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy and petty officers and men of the navy employed in the work	$120,000 00	
For continuing the survey of the western coast of the United States, including compensation of civilians engaged in the work	75,000 00	
For continuing the survey of the reefs, shoals, and keys of South Florida, including compensation of civilians engaged in the work, and excluding pay and emoluments of the officers of the army and navy and petty officers and men of the navy employed in the work	11,000 00	
For publishing the observations made in the progress of the survey of the coast of the United States, including compensation of civilians employed in the work	4,000 00	
For repairs of steamers and sailing schooners used in the coast survey	20,000 00	
For pay and rations of engineers for steamers used in the hydrography of the coast survey, no longer supplied by the Navy Department	6,000 00	
LIGHT-HOUSE ESTABLISHMENT.		
For the Atlantic, Gulf, and Lake coasts, viz:		
For supplying the light-houses and beacon-lights with oil, wicks, glass chimneys, and		

other necessary expenses of the same, and repairing and keeping in repair the lighting apparatus	183,287 00	
To supply deficiency in estimate for supplies of oil, wicks, glass chimneys, and other necessary expenses of the same, and repairing and keeping in repair the lighting apparatus	17,000 00	
For repairs and incidental expenses of light-houses and lighted beacons	130,000 00	
To supply a deficiency in estimate for repairs and incidental expenses of light-houses	50,000 00	
For salaries of five hundred and eighty-nine keepers of light-houses and lighted beacons, and their assistants	213,193 33	
For salaries of forty-three keepers of light-vessels	23,900 00	
For mates and seamen's wages, repairs, supplies, and incidental expenses of forty-three light-vessels	218,917 75	
To supply deficiency in estimates for seamen's wages, repairs, supplies, and incidental expenses for light-vessels	23,321 75	
For expenses of weighing, cleaning, repairing, painting, replacing, and supplying losses of buoys, chains, moorings, and incidental expenses of the same, and for repairing and keeping in repair all the day-marks, beacons, spindles, and monuments, and for expenses of coloring and numbering all the buoys and beacons	112,350 00	
For expenses of visiting and inspecting lights and other aids to navigation	2,000,00	
FOR THE COASTS OF CALIFORNIA, OREGON, AND WASHINGTON.		
For supplying light-houses and beacon-lights with oil, glass chimneys, and wick, chamois skins, polishing powder, and other cleaning materials, transportation, and expenses of keeping lamps and machinery in repair	33,030 00	
For repairs and incidental expenses of light-houses and lighted beacons	15,000 00	
For salaries of forty keepers and assistant keepers of light-houses, at an average not exceeding eight hundred dollars per annum	32,000 00	
For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of floating buoys and beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys	10,000 00	
Amount carried forward	1,299,999 83	17,972,300 00

Object of appropriation.	Amount.	Total.
Amount brought forward	$1,299,999 83	$17,972,300 00
To supply deficiency in estimate for raising, cleaning, painting, remooring, and supplying losses of buoys	50,000 00	
For special works, viz:		
For rebuilding sea-wall at Sand's Point light station, New York	14,800 00	
For rebuilding sea-wall and repairs to tower at Nayat Point light-house, Rhode Island	6,500 00	
For replacing the present stakes at Whitehall Narrows, New York, by approved structures	9,400 00	
For repairs and renovations at Little Gull Island light station, New York	3,000 00	
For a new light-house on Hart island, New York, or vicinity	6,600 00	
For a new light-house on North Brother island, or vicinity, East river, New York	8,500 00	
For repairs and renovations at Split Rock light station, Lake Champlain	9,600 00	
For repairs and renovations at Galloo Island light station	15,000 00	
For beacons in Providence river, Rhode Island, on Conanicut and Bullock's Points, in addition to previous appropriations	17,000 00	
For banking in light-house site at Cohansey, Delaware bay	4,500 00	
For a new iron stairway at Cape Henlopen light-house	12,000 00	
For a new light-house at Sharp's island, Maryland	15,000 00	
For new lanterns at Clay Island, Fog Point, Watt's Island, Turkey Point, Havre de Grace, and Fishing Battery light-houses	6,000 00	
For a new iron stairway at Cape Henry light-house, Virginia	12,000 00	
For new iron stairways at Cape Lookout and Cape Hatteras light-houses, North Carolina	20,000 00	
For repairs and renovations at Turtle Island light station, Ohio	12,000 00	
For rebuilding Green Island light-house, Ohio	13,700 00	
For protecting the foundation on which Waugoshance light-house is constructed	90,000 00	
For renovations and repairs at Windmill Point light-house, Lake St. Clair	3,500 00	
For rebuilding outer-range light at Cedar Point, Sandusky bay, Ohio, or so much thereof		

as may be necessary	20,000 00	
For range lights at Portage entry, Michigan	1,500 00	
For new keeper's dwelling at Beaver Island light station, Michigan	5,800 00	
For repairs and renovations at Marquette light station, Michigan	13,000 00	
For repairs and renovations at Cooper Harbor light station, Michigan	13,700 00	
For repairs and renovations at Ontonagon light station, Michigan	14,000 00	
For beacon-lights at the mouth of Fox river, Wisconsin	6,000 00	
For a beacon-light on the landing at Santa Barbara, California	6,700 00	
To enable the Light-house Board to re-establish lights and other aids to navigation discontinued by the enemy on the southern coast	100,000 00	
To enable the Light-house Board to experiment with new illuminating apparatus and fog signals	3,400 00	
For a new light-house at the mouth of North river, Albemarle sound, North Carolina	15,000 00	
For repairs and renovations at Tybee light-house, Georgia	20,000 00	
For rebuilding light-house at Presque Isle, Pennsylvania, (Lake Erie,) upon the most eligible site under the control of the Light-house Board	25,000 00	
For repairs and renovations at Mamaguda light station, Detroit river	7,500 00	
For repairs and renovations at Kenosha light station, Wisconsin	4,000 00	
For repairs and preservation of public buildings, especially southern buildings	50,000 00	
For furniture, carpets, and miscellaneous items for the same	15,000 00	
For continuation of the north wing of the Treasury extension	200,000 00	
For completion of the Dubuque, Iowa, custom-house, post office, and United States court-room	15,000 00	
For completion of alterations of the Cincinnati custom-house	22,000 00	
For completion of alterations of the Philadelphia custom-house	30,000 00	
For payment of claims due for the constructing and furnishing the Baltimore court-house	109,000 00	
For payment of claims due for the repair of government warehouses and construction of wharves, Staten Island, New York	29,000 00	
For burglar-proof safes or vaults	20,000 00	
For heating of old Treasury building	10,000 00	
Amount carried forward	2,384,699 83	17,972,300 00

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$2,384,699 83	$17,972,300 00
For office furniture and repairs of furniture and miscellaneous expenses for Treasury bureaus, Washington	20,000 00	
PUBLIC BUILDINGS AND GROUNDS.		
For error in compensation of employés in the Interior Department, to wit: one messenger, at one thousand dollars, and two assistants, at eight hundred and forty dollars each	40 00	
For compensation of two night watchmen at the President's House, at six hundred dollars each per annum	1,200 00	
For additional compensation of twenty per centum to two night watchmen, at six hundred dollars each	240 00	
For deficiency due the Navy Department, for use of pile-driver, men, oil, and engine, while repairing navy yard bridge	2,959 66	
To deficiency in consequence of relaying and re-paving all the crossings of the streets intersecting Pennsylvania avenue, on the north side, from the Capitol to the Treasury Department	10,000 00	
For deficiency in repairing the conservatory at the President's House	7,500 00	
To enable the Commissioner of Public Buildings to properly refurnish and repair the President's House, in conformity with his estimate, the old furniture to be disposed of under the direction of the Secretary of the Interior	46,000 00	
For purchase of coal and pay of firemen to warm the Library of Congress	1,500 00	
For care, support, medical and surgical treatment for forty transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, to be selected by the Commissioner of Public Buildings	12,000 00	
For hire of carts on the public grounds	2,000 00	
For purchase and repair of tools used in the public grounds	400 00	

For purchase of trees and tree-boxes, to replace, when necessary, such as have been planted by the United States, to whitewash tree-boxes and fences, and to repair pavements in front of the public grounds	3,000 00	
For annual repairs of the Capitol, water-closets, public stables, water-pipes, pavements, and other walks within the Capitol square, broken glass, and locks, and for the protection of the building, and keeping the main approaches to it unincumbered in addition to old material sold	8,000 00	
For fitting up rooms in the basement, under the court-room of the Supreme Court, for a consultation room for the court	6,500 00	
To enable the Commissioner of Public Buildings to pay for sewers and paving in front of government property constructed under the act of May five, eighteen hundred and sixty-four	32,070 00	
For improvement of grounds, purchase of plants for garden, and contingent expenses incident thereto	2,000 00	
For fuel, in part, for the President's House	5,000 00	
For lighting the Capitol and President's House, the public grounds around them, and around the executive offices, and Pennsylvania avenue, Bridge and High streets in Georgetown, Four-and-a-half street, Seventh and Twelfth streets across the mall, and Maryland avenue west, and Sixth street south	85,000 00	
For repairs of the Potomac and upper bridges	6,000 00	
For repairs of Pennsylvania avenue and keeping it clean, and for sprinkling the same	10,000 00	
For public reservation number two and Lafayette square, in addition to any sum heretofore received or that may hereafter be received for the sale of hay raised on the grounds	2,000 00	
For taking care of the grounds south of the President's House, and continuing the improvement of the same	3,000 00	
For repairs of water-pipes	500 00	
For cleaning and repairing sewer-traps on Pennsylvania avenue	300 00	
For casual repairs of all the furnaces under the Capitol	500 00	
For an additional watchman in reservation number two	720 00	
For casing with stone and erecting a wall in front of the north basement of the old part of the Capitol, so as to correspond with the south basement, already completed	4,300 00	
Amount carried forward	2,657,429 49	17,972,300 00

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$2,657,429 49	$17,972,300 00
For completing the sewer through the botanic garden	20,505 00	
For taking up and relaying with stone flagging the brick pavement in front of the War and Navy Departments on Seventeenth street	3,000 00	
For stone crossings at the streets intersecting Pennsylvania avenue	5,000 00	
For repairing, reglazing, repainting, and putting in thorough order the greenhouse at the President's	5,000 00	
For repairing roof of the old portion of the Capitol	5,450 00	
To meet the expenditure made by the Commissioner of Public Buildings in illuminating the Capitol and the government portion of the City Hall	250 00	
For hauling manure for the public grounds	500 00	
For the protection and improvement of Franklin square	2,000 00	
For painting the President's House inside and out	8,000 00	
For rebuilding fence (destroyed by fire) around the Smithsonian Institution	200 00	
For fuel for centre building of Capitol	1,500 00	
For completing the dome of the Capitol	50,000 00	
For supplying deficiency in appropriation for lighting the Capitol and President's House and public grounds around them, and around the executive offices and Pennsylvania avenue; Bridge and High streets, Georgetown; Four-and-a-half street, Seventh street, and Twelfth street, across the mall, and Maryland avenue west, and Sixth street south	13,000 00	
For sweeping and cleaning Pennsylvania avenue prior to the inauguration on the fourth of March, eighteen hundred and sixty-five	1,000 00	
For carrying the Potomac water into that portion of the President's House occupied for offices, and all the necessary fixtures	3,000 00	
For supplying deficiency in appropriation for fuel for the President's House and Capitol	6,000 00	
For continuing the work on the Capitol extension	175,000 00	
For casual repairs of the Patent Office building	10,000 00	

For defraying the expenses incident to the death and burial of Abraham Lincoln, late President of the United States	30,000 00	
For salary of warden of the jail in the District of Columbia	1,600 00	
For the support and maintenance of the convicts transferred from the District of Columbia to such place or places as may be selected by the Secretary of the Interior	30,000 00	
For the preservation of the collections of the exploring and surveying expeditions of the government	4,000 00	
OFFICE OF THE SECRETARY OF STATE.		
For publication of the laws	8,000 00	
For extra clerk hire	8,000 00	
For the pay of the United States commissioner, and for the pay of the United States surveyor, and for incidental expenses in the execution of the duty assigned to the joint commission appointed under the first article of the reciprocity treaty between the United States and Great Britain of the fifth of June, eighteen hundred and fifty-four, from November first, eighteen hundred and sixty-five, to March, eighteen hundred and sixty-six, and for draughting and compilation of the final chart, showing the "places reserved from the common liberty of fishing," their limits and descriptions	1,500 00	
OFFICE OF THE ATTORNEY GENERAL.		
For deficiency in appropriations for salaries under act of March third, eighteen hundred and sixty-five	3,300 00	
For deficiency in appropriation for contingent expenses	3,500 00	
For pay of two temporary clerks from January first to June thirtieth, eighteen hundred and sixty-six	1,200 00	
For stationery, furniture, and other contingencies, and for books and maps for the library for the Interior Department	3,000 00	
For compensation for temporary clerks in the Pension Bureau for the current fiscal year	20,000 00	
Amount carried forward	3,080,934 49	17,972,300 00

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$3, 080, 934 49	$17, 972, 300 00
GOVERNMENT HOSPITAL FOR THE INSANE.		
For the support, clothing, and medical treatment of the insane of the army and navy and the revenue cutter service, and of the District of Columbia, at the government hospital for the insane in said District, including five hundred dollars for books, stationery, and incidental expenses	90, 500 00	
For finishing, furnishing, and lighting additional accommodations in the east wing; for new bedding for the west wing, and for the extension and replanking of the coal wharf	10, 000 00	
For continuation of the wall enclosing the grounds of the hospital	10, 000 00	
For removing and repairing three old frame houses and building two new cottages for the occupation of the employés of the hospital having families	6, 000 00	
PATENT OFFICE.		
For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter	1, 800 00	
For preparing illustrations and descriptions for report	6, 000 00	
For finishing the saloon in the north wing of the Patent Office building, and for furnishing the same with suitable accommodations for the reception and convenient exhibition of the models	30, 000 00	
CENSUS OFFICE.		
For making good the aggregate difference between the original rates of salaries paid the		

clerks and employés of the Census Office, before they were assigned to the General Land Office, from June one to December thirty-one, eighteen hundred and sixty-five	2,450 31	
For paying the salaries at the original census rate, for principal and other clerks and one employé from January one to June thirty, eighteen hundred and sixty-six	6,460 00	
For incidental expenses of the Census Office	1,500 00	
In the office of engineer, Department of the Interior, viz:		
For one clerk, six months, at one thousand eight hundred dollars per annum	900 00	
For one clerk, six months, at one thousand five hundred dollars per annum	750 00	
For one clerk, six months, at one thousand two hundred dollars per annum	600 00	
For mileage of government engineer from Cincinnati, Ohio, to Omaha, Nebraska, and thence to Washington, in July, eighteen hundred and sixty-five, directed by the President of the United States to examine and report upon Union Pacific railroad routes west from Omaha, two thousand nine hundred and two miles, at ten cents per mile	290 20	
For mileage of the same from Washington to New York and back, in August, eighteen hundred and sixty-five, on account of Union Pacific railway, two hundred and twenty-five miles each way, at ten cents per mile	45 00	
For cost of completing bridge over Big Sioux river, near Sioux City, and government wagon road from Sioux City, Iowa, to Fort Randall, Dakota Territory, in addition to former appropriations	10,000 00	
For commutation of quarters and fuel to officer of corps of engineers, United States army, in charge of engineer office, Department of the Interior, agreeably to army regulations, from first of August, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six, to be paid by Department of the Interior, agreeably to army regulations	1,137 64	
For contingencies	2,000 00	
LIBRARY OF CONGRESS.		
For purchasing files of leading American newspapers for the Library of Congress	1,500 00	
To enable the Joint Committee on the Library to pay the first instalment due on a contract made with William H. Powell for a naval picture to be placed in the Capitol, in pursuance of a joint resolution approved March second, eighteen hundred and sixty-five	2,000 00	
Amount carried forward	3,264,867 64	17,972,300 00

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$3,264,867 64	$17,972,300 00
BOTANIC GARDEN.		
For grading, draining, procuring manure, tools, fuel, and repairs, purchasing trees and shrubs, under the direction of the Library Committee of Congress	3,300 00	
For pay of superintendent of botanic garden and assistants in the botanic garden and greenhouses to be expended under the direction of the Library Committee of Congress	6,145 80	
For the purchase and removal of materials and for erecting four greenhouses in the botanic garden, to be expended under the direction of the Joint Committee on the Library	2,500 00	
COLUMBIAN INSTITUTION FOR THE DEAF AND DUMB.		
For salaries and incidental expenses, including five hundred dollars for the purchase of books and illustrative apparatus	12,500 00	
For the erection, furnishing, and fitting up of the two extensions to the buildings, to provide enlarged accommodations for the male department, and to furnish rooms for the instruction of the pupils in useful labor	39,445 87	
For the proper enclosure, grading, and improvement of the grounds of the institution	3,500 00	
SURVEYING THE PUBLIC LANDS.		
For surveying the public lands in Wisconsin	6,000 00	
For surveying the public lands in Minnesota	15,000 00	
For surveying the public lands in Dakota Territory	5,000 00	
For surveying the public lands in Nebraska Territory	25,000 00	
For surveying the public lands in Kansas	25,000 00	
For surveying the public lands in Colorado Territory	15,000 00	

For surveying the public lands in Nevada	15,000 00	
For surveying the public lands in New Mexico	5,000 00	
For surveying the public lands in California	30,000 00	
For surveying the public lands in Oregon	20,000 00	
For surveying the public lands in Washington Territory	20,000 00	
To supply a deficiency in the fund for the relief of sick and disabled seamen	170,000 00	
MISCELLANEOUS.		
For the fencing in, repair, and completion of the United States court-house and post office at Indianapolis, Indiana, and paving the sidewalks in front of the same	8,000 00	
For the alteration and repair of the court-house in the city of Boston	5,000 00	
For repairs of United States marine hospital at Cleveland, in the State of Ohio	8,000 00	
For facilitating communication between the Atlantic and Pacific States by electrical telegraph	40,000 00	
For expenses in detecting and bringing to trial and punishment persons engaged in counterfeiting treasury notes, bonds, and other securities of the United States, as well as the coins of the United States	50,000 00	
To enable the Secretary of the Interior to adjust and settle the accounts of D. S. Payne, for enumerating the inhabitants of the Territory of Idaho, under the direction of the governor of said Territory, as authorized by the act of March three, eighteen hundred and sixty-three, entitled "An act to provide a temporary government for the Territory of Idaho"	8,800 00	
For building a custom-house at Portland, Maine, in addition to the sum heretofore appropriated by Congress	75,000 00	
For building a custom-house at Saint Albans, in the State of Vermont	10,000 00	
For expenses of the census of Arizona Territory, taken in the year eighteen hundred and sixty-four, to be audited and paid under the supervision of the Secretary of the Interior	4,160 00	
For securing the right of way and building a bridge across the canal to the marine hospital near Portland, Maine	3,000 00	
Amount carried forward	3,895,219 31	17,972,300 00

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$3,895,219 31	$17,972,300 00
For making alterations and repairs in the custom-house, court-house, and post office building, at Providence, Rhode Island	3,000 00	
For compensation of the revenue agent stationed at New York, in addition to the sum authorized by the act of June thirtieth, eighteen hundred and sixty-four, including one thousand dollars for the current fiscal year	2,000 00	
For one thousand copies of a compilation of the laws of the United States in relation to revenue, commerce, and navigation, now in course of preparation for the press at the Treasury Department, such sum as may be necessary therefor in the discretion of the Secretary of the Treasury, and not exceeding	7,000 00	
To enable the Secretary of the Treasury to pay to William Handy, of the Treasury Department, for extra clerical services, such sum as may be found due, not exceeding	500 00	
For compensation to John Hopley, for services in indexing the national currency act	100 00	
For additional compensation to the publishers of the Statutes at Large	8,575 69	
For refitting the rear basement rooms of the old Treasury building, for office purposes	11,000 00	
For the purchase of the property in Washington city known as Ford's theatre, for the deposit and safe-keeping of documentary papers relating to the soldiers of the army of the United States, and of the museum of the medical and surgical department of the army	100,000 00	
For the purchase of an appropriate building site at Island Pond, or at some other point northerly of Island Pond and south of the Canadian boundary line, in the State of Vermont to be erected thereon a suitable building for the use of such officers of the customs as are or may be stationed at that place	10,000 00	
To enable the Secretary of the Treasury to increase the clerical force in the office of the assistant treasurer at Philadelphia	9,000 00	
For the branch mint at California the following sums respectively are hereby, appropriated, viz:		

For wages of workmen and adjusters	69,450 00	
For incidental and contingent expenses, repairs and wastage	106,529 29	
For the Territory of Arizona the following sums are hereby appropriated, viz:		
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses	5,000 00	
For preparation and printing laws of the Territory	5,000 00	
For deficiencies in the appropriations for the objects hereinafter expressed, viz:		
For compensation of the officers, clerks, messengers and others, receiving an annual salary in the service of the House of Representatives	1,429 64	
For clerks of committees, and temporary clerks in the office of the Clerk of the House of Representatives	4,180 00	
For contingent expenses of the House of Representatives, viz:		
For fuel and lights, pay of engineers, and firemen, and laborers, repairs and materials	10,000 00	
For furniture, repairs, and packing-boxes, for members	20,000 00	
For pages and temporary mail boys	2,300 00	
For stationery	13,432 00	
For folding documents, including materials	25,000 00	
For miscellaneous items	10,000 00	
Contingent expenses of Senate, namely:		
For stationery	15,000 00	
For clerks, pages, horses, carryalls, and so forth	27,000 00	
For miscellaneous items	5,000 00	
For fuel and repairs of heating and ventilating apparatus, to be provided under the charge of the Sergeant-at-arms	16,250 00	
For furniture purchased, and repairs done by the Sergeant-at-arms, under the direction of the Committee to Audit and Control the Contingent Expenses of the Senate	23,500 00	
For additional labor in the folding-room and around Senate chamber	5,000 00	
To supply a deficiency in the appropriation for the Capitol police under the act of April twenty-two, eighteen hundred and fifty-four, to be paid to the widow of David Vose, late a policeman in the crypt, being twenty per centum on his salary from December four, eighteen hundred and sixty-one, to July eight, eighteen hundred and sixty-four	532 00	
Amount carried forward	4,410,997 93	17,972,300 00

Object of appropriation.	Amount.	Total.
Amount brought forward	$4,410,997 93	$17,972,300 00
For salary of the stenographer appointed under resolution of January fifth, eighteen hundred and sixty-five	3,650 00	
For additional compensation to laborers in the Clerk's office of the House of Representatives, the same as allowed by act of June twenty-fifth, eighteen hundred and sixty-four	730 00	
To pay A. D. Collingsworth, O. H. Vedder, Edward R. Sherman, Charles C. Adams, Samuel W. Tucker, J. G. Adams, A. Vengiral, J. C. Parker, J. A. Odell, V. Barnes, T. H. Gladman, R. A. Cronin, T. N. Adams, J. C. Cleary, W. D. Lindsay, A. Jewett, jr., F. Cochin, B. C. Farless, J. P. Townsend, C. W. Odell, J. W. Morehead, S. P. Lee, W. H. Salter, James Cross, J. R. Creed, H. B. Rouke, E. A. Lipscomb, George Cottenham, C. A. Perkins, W. B. Cudlipp, S. S. Baker, J. M. Coroy, O. W. Boyden, J. O. Armes, J. Bellows, E. S. Brossius, J. J. Calvert, F. G. Calvert, G. D. Curtis, W. B. Dyer, D. A. Fish, A. H. Gillespie, R. B. Guillien, Charles Goheen, H. Holmes, G. C. Holliday, B. E. Messer, E. C. Messer, F. Madden, W. McKee, W. H. E. Ourand, L. P. Porter, P. W. Pearson, J. L. Rowland, C. V. Rotterden, E. J. Schale, E. J. Sweet, T. J. Schea, J. C. Williams, J. G. Wilson, L. K. Brown, J. H. Gunn, H. A. Dobson, J. A. McIntire, V. B. Munson, J. J. Dickens, W. E. Armes, J. C. Green, Lewis E. Ranterburg, and B. W. Parsons, employed by the deputy provost marshal of the District of Columbia in the enrolling office of said marshal, for night-work and especial service performed in pursuance of a contract between said clerks and said provost marshal, such accounts being properly certified upon the rolls, or by said deputy marshal provost	3,360 00	
To supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-five:		
For the compensation of the superintendent of the building occupied by the Quartermaster General, viz: for the fiscal year ending June thirty, eighteen hundred and sixty-five, and the present fiscal year	400 00	
For the Indian service in Utah, being for moneys advanced by Brigham Young, while		

governor and ex-officio superintendent of Indian affairs, found due and allowed by the Secretary of the Interior	38,487 53	
For plates, engraving, printing, and paper for national currency notes	250,000 00	
For making certain alterations in the custom-house building at Philadelphia	7,425 00	
For deficiency in the appropriation for fuel for the President's House and Capitol	6,000 00	
To supply a deficiency in the appropriation for the Naval Academy for the fiscal year ending June thirty, eighteen hundred and sixty-six	178,064 00	
To pay H. A. Klopfer for ten months' service as a laborer in the office of the Attorney General, at forty dollars per month	400 00	
For certain alterations to the post office portion of the building in Portland, Maine, used for post office, custom-house, and court-house	5,000 00	
To pay the additional compensation provided by section three of "An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending June thirtieth, eighteen hundred and sixty-five, and for other purposes," approved June twenty-fifth, eighteen hundred and sixty-four, up to and including the thirtieth day of June, eighteen hundred and sixty-six	Indefinite.	
That from and after the first day of April, eighteen hundred and sixty-six, there shall be paid annually, instead of the yearly salaries at present authorized, to the director of the mint at Philadelphia, four thousand five hundred dollars; to the treasurer, three thousand five hundred dollars, and one thousand five hundred dollars for additional compensation as assistant treasurer of the United States; to the melter and refiner, three thousand dollars; to the assayer, three thousand dollars; to the assistant to the assayer, two thousand dollars; to the chief coiner, three thousand dollars; to the assistant to the chief coiner, two thousand dollars; to the engraver three thousand dollars; to one clerk, two thousand five hundred dollars; to two clerks, two thousand dollars each; to four clerks, one thousand five hundred dollars each; to the treasurer of the branch mint at San Francisco, for salary as assistant treasurer of the United States, in addition to his salary as treasurer of said mint, one thousand five hundred dollars; to the assistant treasurer of the United States at New York, eight thousand dollars; to the assistant treasurer of the United States at Boston, five thousand dollars; to the assistant treasurer of the United States at St. Louis, five thousand dollars; and the amount neces-		
Amount carried forward	4,904,514 46	17,972,300 00

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$4,904,514 46	$17,972,300 00
sary to carry these provisions into effect for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, is hereby appropriated	Indefinite.	4,904,514 46
By the act to reimburse the State of Pennsylvania for moneys advanced government for war purposes.		
For supplying deficiency in paying the army under the act of March fourteenth, eighteen hundred and sixty four, and to reimburse the State of Pennsylvania for money expended for payment of militia in the service of the United States		800,000 00
By the act making appropriations for the naval service for the year ending thirtieth June, eighteen hundred and sixty-seven.		
For pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy	9,336,638 00	
For the payment of bounties to discharged seamen	800,000 00	
For the purchase of various articles of equipment, viz: canvas, leather, iron, cables, and anchors, oil, galleys, and stores, and for the payment of labor on articles manufactured in the navy yards, and for outfit stores in the navigators', boatswains', and sailmakers' departments of vessels	1,000,000 00	
For surgeons' necessaries and appliances for the sick and wounded of the navy, including the coast survey and engineer and marine corps	168,750 00	
For navigation apparatus and supplies, and for purposes incidental to navigation	192,500 00	
For contingent expenses of the navy	250,000 00	

BUREAU OF YARDS AND DOCKS.

For contingent expenses that may accrue for the following purposes, viz: For freight and transportation; for printing, advertising, and stationery; for books, maps, models, and drawings; for the purchase and repair of fire-engines; for machinery of every description, and patent right to use the same; for repairs of steam-engines and attendance; for purchase and maintenance of oxen and horses, and driving teams; for carts, timber-wheels, and workmen's tools of every description, for navy yard purposes; for telegrams and postage of letters on public service; for furniture for government offices and houses; for coals and other fuel; for candles, oil, and gas; for cleaning and clearing up yards; for flags, awnings, and packing-boxes; for pay of watchmen; for incidental labor at navy yards not applicable to any other appropriation; for rent of landing at Portsmouth, New Hampshire; for tolls and ferriages; for water tax; and for rent of stores.. 1,760,000 00

BUREAU OF EQUIPMENT AND RECRUITING.

For expenses that may accrue for the following purposes, namely: expenses of recruiting, travelling expenses of officers, transportation of men, printing and stationery, advertising in public newspapers, postage on public letters, wharfage and demurrage, apprehension of deserters, pilotage and towage of vessels, and assistance to vessels in distress..... 800,000 00

BUREAU OF NAVIGATION.

For contingent expenses of the Bureau of Navigation, viz: For freight and transportation of navigation materials, instruments, books and stores; for postage on public letters; for telegraphing on public business; for advertising proposals; for packing-boxes and materials; for blank books, forms and stationery at navigation offices; for maps, charts, drawings and models; and for incidental expenses not applicable to any other appropriation..... 5,000 00

Amount carried forward..... 14,312,888 00 | 23,676,814 46

Object of appropriation.	Amount.	Total.
Amount brought forward	$14,312,888 00	$23,676,814 46
BUREAU OF MEDICINE AND SURGERY.		
For contingent expenses of the Bureau of Medicine and Surgery	75,000 00	
MARINE CORPS.		
For pay of officers, non-commissioned officers, musicians, privates, clerks, messengers, steward and nurse, and servants; for rations and clothing for officers' servants; additional rations to officers for five years' service; for undrawn clothing, and bounties for enlistment	1,107,066 95	
For provisions	169,907 50	
For clothing	314,663 05	
For fuel	30,117 00	
For military stores, viz: Pay of mechanics, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, fifes, and other instruments	16,000 00	
For transportation of officers, their servants, troops, and expenses of recruiting	10,000 00	
For repairs of barracks, and rent of offices where there are no public buildings	15,000 00	
For contingencies, viz: freight; ferriage; toll, cartage, wharfage; purchase and repair of boats; compensation to judge advocates, per diem for attending courts-martial, courts of inquiry, and for constant labor; house rent in lieu of quarters; burial of deceased marines; printing, stationery, postage, telegraphing; apprehension of deserters; oil, candles, gas; repairs of gas and water fixtures; water rent, forage, straw, barrack furniture; furniture for officers' quarters; bed sacks, wrapping paper, oil-cloth, crash, rope, twine, spades, shovels, axes, picks, carpenters' tools; keep of a horse for the messenger; pay of matron, washerwoman, and porter at the hospital headquarters; repairs to		

fire-engine; purchase and repair of engine hose; purchase of lumber for benches, mess tables, and bunks; repairs to public carryall; purchase and repair of harness; purchase and repair of handcarts and wheelbarrows; scavengering; purchase and repair of galleys, cooking stoves, ranges; stoves where there are no grates; gravel for parade grounds; repair of pumps; furniture for staff and commanding officers' offices; brushes, brooms, buckets, paving, and for other purposes	80,000 00	
NAVY YARDS.		
PORTSMOUTH, NEW HAMPSHIRE.		
For iron foundry	5,946 00	
For shop for iron-cladding	16,632 00	
For condensers	7,660 00	
For road and timber slips	28,303 00	
For enlarging office building	9,748 00	
For fitting and furnishing plumber's, coppersmith's, and tin shop	3,600 00	
For machinery and tools	48,100 00	
For repairs of all kinds	70,000 00	
For completing plumber's, coppersmith's, and tin shop	10,000 00	
For the purchase of Seavey's island	105,000 00	
BOSTON.		
For purchase of the right of drainage through the yard now held by the city of Charlestown	25,000 00	
For one steam fire-engine	5,000 00	
For widening main entrance	12,000 00	
For tools for machine and forge shops	71,500 00	
For machinery for ropewalk	31,000 00	
For filling in a portion of timber-dock	40,000 00	
Amount carried forward	16,620,131 50	23,676,814 46

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$16,620,131 50	$23,676,814 46
For addition to stable	8,000 00	
For repairs of all kinds	85,000 00	
NEW YORK.		
For iron-plating shop	98,922 00	
For receiving store	47,603 00	
For quay-wall extension at sewer	100,000 00	
For continuing the work on the new machine and boiler shop	100,000 00	
For dredging channels	65,000 00	
For special repairs	20,500 00	
For repairs of all kinds	116,000 00	
For the purchase of the Ruggles property	90,000 00	
For protecting from destruction and decay the unfinished buildings and other structures already commenced, for which no appropriation is made in this bill	20,000 00	
PHILADELPHIA.		
For dredging channels	4,028 00	
For repairs of dry-dock	46,000 00	
For repairs of all kinds	58,480 00	
For completing saw-mill	25,000 00	
For extending south pier one hundred feet	15,000 00	
WASHINGTON.		
For new paint shop	8,583 00	

For smithery	12,062 00	
For extension of iron foundry	8,445 00	
For machinery and tools	90,600 00	
For repairs of all kinds	61,600 00	
NORFOLK.		
For railway track and cars	8,000 00	
For repair of wharves	2,500 00	
For one Ames's wharf crane	3,000 00	
For machinery and tools	50,000 00	
For ship joiners' shop and timber shed number 12	45,000 00	
For storehouse number 14	46,000 00	
For the protection of the property at Norfolk navy yard	20,000 00	
PENSACOLA, FLORIDA.		
For muster office	8,104 00	
For new gate to dock basin	30,000 00	
For pile engine	700 00	
For the preservation and necessary repairs of the property of the United States at the Pensacola navy yard	50,000 00	
MARE ISLAND, CALIFORNIA.		
For foundry and boiler establishment	85,000 00	
For cisterns, buildings sixty-eight and forty-five	7,300 00	
For quay wall	50,000 00	
For grading	20,000 00	
For cistern and holder for gas-works	2,500 00	
For repairs of all kinds	50,000 00	
Amount carried forward	18,179,058 50	23,676,814 46

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward.....	$18,179,058 50	$23,676,814 46
HOSPITALS.		
BOSTON.		
For repairs of buildings, roads, fences, cemetery, walls, stable, and furniture; painting, glazing, grounds, and miscellaneous items	10,000 00	
NEW YORK.		
For repairs of hospital buildings and appendages, roads, fences, walls, stables, and furniture; painting, glazing, cemetery, grounds, and miscellaneous items	10,500 00	
LABORATORY, NEW YORK.		
For repairs of buildings and appendages, purchase and repairs of instruments, apparatus and machinery, painting, glazing, furniture, and miscellaneous items.....	3,500 00	
WASHINGTON.		
For completing building authorized by act of Congress approved March fourteenth, eighteen hundred and sixty-four, including cost of enclosing premises, grading sidewalks, laying curbstones, together with the necessary out-buildings, and their appurtenances ..	30,000 00	

ANNAPOLIS.		
For repairing hospital building, appendages, painting, glazing, furniture, and miscellaneous items	5,000 00	
NORFOLK.		
For repairs of buildings, appendages, roads, fences, rebuilding sea-wall, painting and glazing, spouting and repairing roof, wharves and bridges, brick pavement, stable, furniture, floors of basement, improving grounds, and for miscellaneous items	20,000 00	
PENSACOLA.		
For repairs of building, appendages, painting, glazing, furniture, and miscellaneous items	10,500 00	
MARE ISLAND.		
For repairs of building, appendages, painting, glazing, furniture, and miscellaneous items	7,500 00	
MISCELLANEOUS.		
For pay of superintendent, naval constructors, and all the civil establishments of the several navy yards and stations	146,230 00	
For testing the use of petroleum as a fuel under marine boilers	5,000 00	
For the construction of a levee on the river front of the government property at Mound City, Illinois	7,000 00	
To pay mileage of visitors to the Naval Academy	1,000 00	
For expenses of Naval Academy, viz: for pay of civil officers, professors, watchmen, and others, contingent expenses, improvements, and repairs	198,429 00	
For the purchase of the land adjacent to the Naval Academy at Annapolis, belonging to the State of Maryland, and known as the government house and grounds	25,000 00	
Amount carried forward	18,658,717 50	23,676,814 46

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$18,658,717 50	$23,676,814 46
For the purchase of other grounds at Annapolis for the use of the Naval Academy	25,000 00	
For the erection of a building suitable for the accommodation of the third and fourth classes at the Naval Academy	100,000 00	
For the erection of a machine shop at the Naval Academy	20,000 00	
For the increase of the library at the Naval Academy	2,000 00	
For the enlargement of the chapel at the Naval Academy and for the erection of mural tablets therein to commemorate the memory of naval officers who have sacrificed their lives in the service of the country	7,000 00	
NAVAL OBSERVATORY.		
For the pay of assistant astronomer, three aids, and clerk	8,000 00	
For wages of instrument maker, two watchmen, porter, and messenger; for keeping grounds in order, and repairs to buildings and enclosures; for fuel, light, office furniture, and stationery, and for freight, transportation, postage, and incidental expenses	12,000 00	
For preparing for publication the American Nautical Almanac	15,850 00	
NAVAL ASYLUM, PHILADELPHIA.		
For furniture and repairs to the same	1,000 00	
For house-cleaning and whitewashing	800 00	
For furnaces, grates, and ranges	700 00	
For gas and water rent	1,500 00	
For improvement of grounds	300 00	
For wharves and lots	800 00	
For painting houses and walls	2,000 00	

For repairs of all kinds	1,000 00	
For support of beneficiaries	48,000 00	
		18,904,667 50
By the act to reimburse the State of Missouri for moneys expended for the United States in enrolling, equipping, and provisioning militia forces to aid in suppressing the rebellion.		
For reimbursing the State of Missouri		6,715,089 65
By the act making appropriations to supply deficiency in the appropriation for the public printing for the fiscal year ending June 30, 1866.		
To supply a deficiency in the appropriation for the public printing	115,000 00	
To supply a deficiency in the appropriation for paper for the public printing	450,000 00	
To supply a deficiency in the appropriation for the public binding	95,000 00	
		660,000 00
By the act to authorize the sale of marine hospitals and of revenue cutters.		
For the marine hospital establishment, the proceeds of said leases and sales		Indefinite.
By the act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-seven, and for other purposes.		
For transportation of the mails, (inland)	9,550,000 00	
For transportation of the mails, (foreign)	600,000 00	
For ship, steamboat, and way letters	8,000 00	
For compensation to postmasters	4,250,000 00	
For clerks for post offices	1,920,000 00	
For payment to letter-carriers	640,000 00	
For wrapping paper	100,000 00	
For twine	30,000 00	
Amount carried forward	17,098,000 00	49,956,571 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$17,098,000 00	$49,956,571 61
For letter balances	6,000 00	
For compensation to blank agents and assistants	8,000 00	
For office furniture	6,000 00	
For advertising	80,000 00	
For postage stamps and stamped envelopes	250,000 00	
For mail depredations and special agents	100,000 00	
For mail bags	130,000 00	
For mail locks, keys, and stamps	30,000 00	
For payment of balances due to foreign countries	350,000 00	
For miscellaneous payments	320,000 00	
To enable the superintendent of the Naval Observatory to carry out the object of Senate resolution of March nineteenth, eighteen hundred and sixty-six, for report of Isthmus routes to the Pacific ocean	1,500 00	
For the mail steamship service between the United States and Brazil	150,000 00	
For the mail steamship service between San Francisco, Japan, and China for six months ending June thirtieth, eighteen hundred and sixty-seven	250,000 00	
For the overland mail transportation between Atchison and Folsom, and for marine mail transportation between New York and California	900,000 00	
		19,679,500 00
By the act making appropriations for the support of the Military Academy for the year ending the thirtieth June, eighteen hundred and sixty-seven.		
For pay of officers, instructors, cadets and musicians	154,840 00	
For commutation of subsistence	4,561 00	
For pay in lieu of clothing to officers' servants	156 00	
For current and ordinary expenses	58,000 00	

For increase and expense of library	2,000 00	
For expenses of board of visitors	3,000 00	
For forage for artillery and cavalry horses	15,000 00	
For horses for artillery and cavalry practice	1,000 00	
For repairs of officers' quarters	5,000 00	
For targets and batteries for artillery practice	500 00	
For furniture for cadets' hospital	100 00	
For gas-pipes, gasometers, and retorts	300 00	
For reflooring academic buildings and barracks	6,000 00	
For the purchase of fuel for warming mess-hall, shoemaker and tailors' shops	2,000 00	
For materials for quarters for subaltern officers	3,000 00	
For continuing the erection of memorial tablets and mural monuments to deceased officers of the regular army and of volunteers; arranging and preserving trophies of war, and marking with the proper inscriptions the guns captured during the rebellion	5,000 00	
For enlarging and improving the cemetery, and for repairing the enclosure thereof	5,000 00	
For the removal to a safe place and reconstruction of the magazine	10,000 00	
For ventilating and heating the barracks and other academic buildings; improving the apparatus for cooking for the cadets; repairing the hospital buildings, including the introduction of baths for the sick; the construction of water-closets in the library building; and new furniture for the recitation rooms	20,000 00	
For the removal and enlargement of the gas-works	6,600 00	
		301,457 00
By the act making appropriations to supply deficiencies in the appropriations for contingent expenses of the House of Representatives of the United States for the fiscal year ending June thirty, eighteen hundred and sixty-six.		
For miscellaneous items	10,000 00	
For folding documents	17,500 00	
For furniture and repairs, and packing-boxes for members	10,000 00	
For stationery	15,000 00	
		52,500 00
Amount carried forward		69,990,028 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward		$69,990,028 61
By the act making appropriations for the construction, preservation, and repairs of certain fortifications and other works of defence, for the year ending June thirty, eighteen hundred and sixty-seven.		
For Fort Wayne, near Detroit, Michigan	$50,000 00	
For Fort Ontario, Oswego, New York	50,000 00	
For Fort Montgomery, at outlet of Lake Champlain, New York	50,000 00	
For Fort Scammel, Portland, Maine	35,000 00	
For Fort George, on Hog Island ledge, Portland, Maine	50,000 00	
For Fort Popham, Kennebec river, Maine	50,000 00	
For Fort Constitution, Portsmouth, New Hampshire	75,000 00	
For Fort Winthrop, Boston, Massachusetts	30,000 00	
For Fort Warren, Boston, Massachusetts	25,000 00	
For sea-wall at Great Brewsters island, Boston harbor, Massachusetts	75,000 00	
For sea-walls on Deer and Lovell's islands, Boston harbor, Massachusetts	50,000 00	
For fort at entrance of New Bedford harbor, Massachusetts	30,000 00	
For Fort Schuyler, East river, New York	30,000 00	
For fort at Willett's Point, opposite Fort Schuyler, New York	50,000 00	
For repairs of Fort Hamilton, New York	30,000 00	
For fort on site of Fort Tompkins, Staten Island, New York	50,000 00	
For fort at Sandy Hook, New Jersey	50,000 00	
For repairs at Fort Mifflin, near Philadelphia	25,000 00	
For construction of permanent platforms for modern cannon of large calibre, in existing fortifications of important harbors	100,000 00	
For repairs of Fort Washington, on the Potomac river	20,000 00	

For Fort Monroe, Hampton Roads, Virginia	30,000 00	
For Fort Taylor, Key West, Florida	100,000 00	
For Fort Jefferson, Garden Key, Tortugas	50,000 00	
For fort on Ship island, coast of Mississippi	10,000 00	
For Fort Clinch, Amelia island, Florida	50,000 00	
For fort at Fort Point, San Francisco bay, California	125,000 00	
For fort at Lime Point, California	75,000 00	
For fort at Alcatraz island, San Francisco bay, California	90,000 00	
For survey of northern and northwestern lakes, including Lake Superior	50,000 00	
For purchase of sites now occupied and lands proposed to be occupied for permanent sea-coast defences	35,000 00	
		1,540,000 00
By the act to reimburse the State of West Virginia for moneys expended for the United States in enrolling, equipping, and paying military forces to aid in suppressing the rebellion.		
To reimburse the State of West Virginia		368,548 37
By the act making appropriations for the repair, preservation, and completion of certain public works heretofore commenced under the authority of law, and for other purposes.		
For examination and survey of works of improvement for which appropriations have been heretofore made, and concerning which no sufficient information is now in possession of the department, and for examination and survey at other points in the fourth section of this act specified—that is to say:		
On the Atlantic coast	30,000 00	
On the Pacific coast	25,000 00	
On the northwestern lakes	100,000 00	
Amount carried forward	155,000 00	71,898,576 98

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$155,000 00	$71,898,576 98
On the western and northwestern rivers	100,000 00	
For extending the breakwater at Portland harbor, Maine	105,111 05	
For improvement of navigation of Hudson river, New York	50,000 00	
For preservation of Provincetown harbor, Massachusetts	43,068 44	
For improvement of Thames river, Connecticut	10,000 00	
For extension and repair at breakwater at Burlington, Vermont	27,672 20	
For completion and repair of Delaware breakwater, Delaware bay	107,910 00	
For improving channel of Susquehanna river below Havre de Grace, Maryland	26,400 00	
For continuing improvement of Patapsco river, Maryland	5,200 00	
For construction of snag-boats and other apparatus for clearing western rivers, and for the outfit, working, and preservation thereof	550,000 00	
For improving the mouth of the Mississippi river	75,000 00	
For improvement of the Mississippi, Missouri, Arkansas, and Ohio rivers	550,000 00	
For improvement of the Des Moines rapids, Mississippi river	200,000 00	
For improvement of the Rock Island rapids, Mississippi river	100,000 00	
For improvement of the Saint Clair flats, Michigan	80,000 00	
For improvement of the Saint Mary's river, between Lake Superior and Lake Huron	50,000 00	
For improvement of Oswego harbor, New York, and preservation of the public works at that point	45,000 00	
For improvement at Little Sodus Bay harbor, Fairhaven, in Cayuga county, New York	33,840 41	
For improvement at Big Sodus Bay harbor, Wayne county, New York	53,151 80	
For improvement at the harbor of Genesee river, New York	75,607 30	
For improvement of harbor at Buffalo, New York	100,000 00	
For completing the sea-wall at Buffalo harbor, New York	31,000 00	
For improvement of harbor and repair of public works at Erie, Pennsylvania	36,961 00	

For improvement of Conneaut harbor, Ohio	20,513 74	
For improvement of Ashtabula harbor, Ohio	24,708 82	
For improvement of harbor at Grand river, Ohio	24,072 00	
For improvement of harbor at Cleveland, Ohio	59,806 00	
For improvement of harbor at Black river, Ohio	10,000 00	
For improvement of harbor at Vermillion, Ohio	15,315 74	
For improvement of harbor at Huron, Ohio	39,000 00	
For improvement of harbor at Sandusky City, Ohio	38,580 00	
For improvement of harbor at Toledo, Ohio	20,000 00	
For improvement of harbor at Monroe, Michigan	31,015 27	
For improvement of harbor at Aux Becs Scies, Frankfort, Michigan	88,541 00	
For improvement of harbor at Grand Haven, Michigan	65,000 00	
For improvement of harbor at Black lake, Michigan	55,615 31	
For improvement of harbor at Saint Joseph, Michigan	6,000 00	
For improvement at the mouth of Saginaw river, Michigan	67,500 00	
For improvement of harbor at Chicago, Illinois	88,704 00	
For improvement of harbor at Kenosha, Wisconsin	75,461 41	
For improvement of harbor at Racine, Wisconsin	23,910 00	
For improvement of harbor at Milwaukee, Wisconsin	48,283 51	
For improvement of harbor at Sheboygan, Wisconsin	47,598 91	
For improvement of harbor at Manitowoc, Wisconsin	52,000 00	
For repairs of government wharves and landings, and improving harbor at Marcus Hook, on Delaware river, Pennsylvania	5,000 00	
For improvement of harbor at Green Bay, at the mouth of Fox river, Wisconsin	30,500,00	
For constructing works and improving entrance into the harbor of Michigan City, Indiana	75,000 00	
For improvement of the Kennebec river, in the State of Maine, between Sheppard Point and the city of Augusta	20,000 00	
For removal of obstructions to navigation in the Willamette river, between Portland and its mouth, in the State of Oregon	15,000 00	
For continuing the repair of the piers in Saco river, in the State of Maine	40,000 00	
		3,698,047 91
Amount carried forward		75,596,624 89

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward		$75,596,624 89
By the act making further provisions for the establishment of an armory and arsenal of construction, deposit, and repair on Rock Island, in the State of Illinois.		
To liquidate claims for property in Benham's, Wilson's, and Winnebago islands, and for property in Rock Island which has been taken, in pursuance of law, for military purposes	$293,600 00	
To secure water-power at the head of Rock Island	100,000 00	
To erect storehouses for the preservation of arms and other munitions of war, and to establish communication between Rock Island arsenal and the cities of Davenport, Iowa, and Rock Island, Illinois	100,000 00	
		493,600 00
By the act making appropriations for the support of the army for the year ending thirtieth of June, eighteen hundred and sixty-seven, and for other purposes.		
For expenses of recruiting, transportation of recruits, and compensation to citizen surgeons for medical attendance	300,000 00	
For pay of the army	10,712,052 00	
For commutation of officers' subsistence	1,651,511 50	
For commutation of forage for officers' horses	105,200 00	
For payments in lieu of clothing for officers' servants	191,766 00	
For payments to discharged soldiers for clothing not drawn	150,000 00	
For subsistence in kind for regulars and volunteers	5,301,625 00	
For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospitals, storehouses, and offices; of forage in kind for the horses, mules, and oxen for the quartermaster's department, at the several posts and stations, and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry as may be mounted, and for the		

authorized number of officers' horses when serving in the field and at the outposts, including bedding for the animals; of straw for soldiers' bedding, and of stationery, including blank books for the quartermaster's department, certificates for discharged soldiers, blank forms for the pay and quartermaster's departments; and for the printing of division and department orders and reports	4,134,499 33	
For the incidental expenses of the quartermaster's department, consisting of postage on letters and packages received and sent by officers of the army on public service; expenses of courts-martial, military commissions, and courts of inquiry, including the additional compensation of judge advocates, recorders, members and witnesses, while on that service; under the act of March sixteenth, eighteen hundred and two, extra pay to soldiers employed, under the direction of the quartermaster's department, in the erection of barracks, quarters, storehouses, and hospitals; in the construction of roads, and on other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks, at division and department headquarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action or who die when on duty in the field, or at posts on the frontiers, or at other posts and places when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster's department, including the hire of interpreters, spies, and guides for the army; compensation of clerks to officers of the quartermaster's department; compensation of forage and wagon masters, authorized by the act of July fifth, eighteen hundred and thirty-eight; for the apprehension of deserters, and the expenses incident to their pursuit; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry as may be mounted, viz: the purchase of travelling forges, blacksmiths' and shoeing tools, horses' and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movements and operations of an army not expressly assigned to any other department	1,000,000 00	
Amount carried forward	23,546,653 83	76,090,224 89

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$23,546,653 83	$76,090,224 89
For the purchase of cavalry and artillery horses	713,100 00	
For transportation of officers' baggage	50,000 00	
For transportation of the army, including the baggage of the troops when moving, either by land or water; of clothing, camp, and garrison equipage, from the depots at Philadelphia, Cincinnati, and New York, to the several posts and army depots, and from those depots to the troops in the field; and of subsistence stores from the places of purchase, and from the places of delivery under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms, from foundries and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and ferriages; for the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other sea-going vessels, and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for procuring water at such posts as, from their situation, require it to be brought from a distance; and for clearing roads, and removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of the troops in the field	5,000,000 00	
For hire of commutation quarters for officers on military duty; hire of quarters for troops; of storehouses for the safe-keeping of military stores; of grounds for summer cantonments; for the construction of temporary huts, hospitals, and stables, and for repairing public buildings at established posts	624,038 00	
For contingencies of the army	100,000 00	
For the medical and hospital department	500,000 00	
For repairs, improvements, and new machinery at the national armory	100,000 00	

For repairs and improvements at arsenals, including new and additions to present buildings, and machinery, tools, and fixtures	50,000 00	
For the purchase of site and erection of magazine for storing gunpowder	200,000 00	
For the purchase of land for enlarging the Watervleit arsenal	30,000 00	
For the erection of fire proof buildings at or near Schuylkill arsenal in the State of Pennsylvania, to be used as storehouses for government property at that post	146,000 00	
For the support of the Bureau of Refugees, Freedmen and Abandoned Lands for the fiscal year commencing July first, eighteen hundred and sixty-six, namely:		
For salaries of assistant and sub-assistant commisioners	147,500 00	
For salaries of clerks	82,800 00	
For stationery and printing	63,000 00	
For quarters and fuel	15,900 00	
For clothing for distribution	1,170,000 00	
For commissary stores	3,106,250 00	
For medical department	500,000 00	
For transportation	1,320,000 00	
For school superintendents	21,000 00	
For repairs and rent of school-houses and asylums	500,000 00	
For telegraphing	18,000 00	
		38,004,241 83

By the act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending the thirtieth of June, eighteen hundred and sixty-seven, and for other purposes.

LEGISLATIVE.

For compensation and mileage of senators	252,500 00	
For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz:		
Secretary of the Senate	3,600 00	
Officer charged with disbursements of the Senate	480 00	
Amount carried forward	256,580 00	114,094,466 72

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$256,580 00	$114,094,466 72
Chief clerk	2,500 00	
Principal clerk and principal executive clerk in the office of the Secretary of the Senate, at two thousand one hundred and sixty dollars each	4,320 00	
Eight clerks in the office of the Secretary of the Senate, at one thousand eight hundred and fifty dollars each	14,800 00	
Keeper of the stationery	1,752 00	
Two messengers, at one thousand and eighty dollars each	2,160 00	
One page	500 00	
Sergeant-at-arms and doorkeeper	4,000 00	
Assistant doorkeeper	1,700 00	
Postmaster to the Senate	1,750 00	
Assistant postmaster and mail-carrier	1,440 00	
Two mail-boys, at one thousand dollars each	2,000 00	
Superintendent of the document-room	1,500 00	
Two assistants in document-room, at one thousand two hundred dollars each	2,400 00	
Superintendent of the folding-room	1,500 00	
Three messengers, acting as assistant doorkeepers, at one thousand five hundred dollars each	4,500 00	
Sixteen messengers, at one thousand two hundred dollars each	19,200 00	
Clerk or secretary to the President of the Senate	1,752 00	
Clerk to the Committee on Finance	1,850 00	
Clerk to the Committee on Claims	1,850 00	
Clerk of printing records	1,850 00	
Superintendent in charge of the furnaces	1,200 00	
Assistant in charge of the furnaces	720 00	
Laborer in charge of private passages	720 00	

Two laborers, at seven hundred and twenty dollars each	1,440 00	
Chaplain to the Senate	750 00	
One special policeman	720 00	
For contingent expenses of the Senate, viz:		
For stationery	17,000 00	
For newspapers	5,000 00	
For Congressional Globe	20,000 00	
For reporting proceedings in the Daily Globe for the second session of the thirty-ninth Congress	12,000 00	
For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate for the second regular session of the thirty-ninth Congress	4,000 00	
For one complete set of the Congressional Globe and Appendix for each senator in the thirty-ninth Congress who has not already received them	6,800 00	
For paying the publishers of the Congressional Globe and Appendix, according to the number of copies taken, one cent for every five pages exceeding three thousand, including the indexes and laws of the United States	12,900 00	
For clerks to committees, pages, horses, and carryalls	20,000 00	
For Capitol police	21,480 00	
For expenses of heating and ventilating apparatus	20,500 00	
For miscellaneous items	30,000 00	
For compensation and mileage of members of the House of Representatives and delegates from Territories	1,000,000 00	
For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives, viz:		
For Clerk of the House of Representatives	3,600 00	
For chief clerk and one assistant clerk, at two thousand one hundred and sixty dollars each	4,320 00	
For eleven clerks, at one thousand eight hundred dollars each	19,800 00	
For principal messenger in the office, at four dollars and eighty cents per day	1,752 00	
For three messengers, at one thousand two hundred dollars each	3,600 00	
Amount carried forward	1,538,206 00	114,094,466 72

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$1,538,206 00	$114,094,466 72
For messenger to the Speaker, at four dollars and eighty cents per day	1,752 00	
For clerk to the Committee of Ways and Means	2,160 00	
For clerk to the Committee on Appropriations	2,160 00	
For clerk to the Committee of Claims	1,800 00	
For clerk to the Committee on Public Lands	1,800 00	
For Sergeant-at-arms	2,160 00	
For clerk to the Sergeant-at-arms	1,800 00	
For messenger to the Sergeant-at-arms	1,200 00	
For postmaster	2,160 00	
For assistant postmaster	1,740 00	
For four messengers, at one thousand four hundred and forty dollars each	5,760 00	
For two mail-boys, at nine hundred dollars each	1,800 00	
For Capitol police	21,480 00	
For doorkeeper	2,160 00	
For superintendent of the folding-room	1,800 00	
For superintendent of the document room and assistant, at one thousand seven hundred and fifty-two dollars	3,504 00	
For one messenger	1,740 00	
For five messengers, at one thousand five hundred dollars each	7,500 00	
For six messengers, at one thousand two hundred dollars each	7,200 00	
For twelve messengers, to be employed during the session of Congress, at one thousand two hundred dollars each per annum	14,400 00	
For chaplain to the House of Representatives	750 00	
For stenographer	3,650 00	
For contingent expenses of the House of Representatives, viz:		
For cartage	2,000 00	

For clerks to committees and temporary clerks of the House of Representatives	18,576 00	
For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the second regular session of the thirty-ninth Congress, and one hundred copies of the same for the House library	17,796 00	
For paying the publishers of the Congressional Globe and Appendix, according to the number of copies taken, one cent for every five pages exceeding three thousand, including the indexes and laws of the United States	8,550 00	
For folding documents, including material	30,000 00	
For fuel and lights, pay of engineers, fireman, and laborers, repairs and materials	15,000 00	
For furniture, repairs, and packing boxes for members	10,000 00	
For horses, carriages, and saddle horses	9,000 00	
For laborers	8,400 00	
For miscellaneous items	30,000 00	
For newspapers	12,500 00	
For pages and temporary mail boys	10,000 00	
For reporting and publishing proceedings in the Daily Globe	10,500 00	
For stationery	18,000 00	
For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House for the second regular session of the thirty-ninth Congress, eight hundred dollars each	4,800 00	
PUBLIC PRINTING.		
For compensation of the Superintendent of Public Printing, and the clerks and messengers in his office	11,514 00	
For contingent expenses of his office, viz: For stationery, postage, advertising, furniture, travelling expenses, horses and wagons, and miscellaneous items	2,000 00	
For the public printing	369,400 00	
For paper for the public printing	456,892 00	
For the public binding	352,204 00	
For mapping in cases pending in the Supreme Court of the United States	3,000 00	
Amount carried forward	3,028,814 00	114,094,466 72

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$3,028,814 00	$114,094,466 72
For lithographing and engraving for the Senate and House of Representatives	75,000 00	
To enable the Secretary of the Interior to purchase of Messrs. Little, Brown & Company two thousand copies of the thirteenth volume of the United States Statutes at Large, for distribution agreeably to the acts of Congress directing the distribution of other volumes	7,000 00	
LIBRARY OF CONGRESS.		
For compensation of librarian, five assistant librarians, messenger, and laborers	12,600 00	
For contingent expenses of said library	2,000 00	
For purchase of books for said library	8,000 00	
For purchase of law-books for said library	2,000 00	
For botanic garden, grading, draining, procuring manure, tools, fuel, and repairs, and purchasing trees and shrubs, under the direction of the Library Committee of Congress	3,300 00	
For pay of superintendent and assistants, and assistants in botanic garden and green-houses, under the direction of the Library Committee of Congress	6,145 80	
For purchasing files of the leading American newspapers for said library	1,500 00	
COURT OF CLAIMS.		
For salaries of five judges of the Court of Claims, the solicitor, assistant solicitor, deputy solicitor, clerk and assistant clerk, and bailiff thereof	35,500 00	
For stationery, books, fuel, labor, and other contingent and miscellaneous expenses	3,000 00	
For compensation of attorneys to attend to taking testimony, witnesses, and commissioners	1,000 00	

For payment of judgments rendered by the court in favor of claimants, in addition to the unexpended balance of the appropriation for the fiscal year ending June thirty, eighteen hundred and sixty-five	500,000 00	
EXECUTIVE.		
For compensation of the President of the United States	25,000 00	
For compensation of secretary to sign patents for public lands	1,500 00	
For compensation to the private secretary, steward, and messenger of the President of the United States	4,600 00	
For contingent expenses of the executive office, including stationery therefore	4,000 00	
DEPARTMENT OF STATE.		
For compensation of the Secretary of State and Assistant Secretary of State, chief clerk, superintendent of statistics, clerks, messenger, assistant messenger, and laborers in his office	58,300 00	
For increase to one messenger	100 00	
For increase to assistant	140 00	
FOR THE INCIDENTAL AND CONTINGENT EXPENSES OF THE DEPARTMENT OF STATE.		
For publishing the laws in pamphlet form and in newspapers of the States and Territories and in the city of Washington	25,000 00	
For publishing the laws of the thirty-seventh and thirty-eighth Congresses in two newspapers in each of the lately insurgent States	15,000 00	
For proof-reading and packing the laws and documents for the various legations and consulates, including boxes and transportation of the same	4,000 00	
For stationery, blank books, furniture, fixtures, and repairs	5,000 00	
For miscellaneous items	2,500 00	
For copper-plate printing, books, and maps	5,000 00	
Amount carried forward	3,835,999 80	114,094,466 72

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$3,835,999 80	$114,094,466 72
For extra clerk-hire and copying	10,000 00	
FOR THE GENERAL PURPOSES OF THE NORTHEAST EXECUTIVE BUILDING.		
For compensation of four watchmen and two laborers of the northeast executive building	3,600 00	
For contingent expenses of said building, viz:		
For fuel, lights, repairs, and miscellaneous expenses	5,500 00	
TREASURY DEPARTMENT.		
For compensation of the Secretary of the Treasury, two Assistant Secretaries of the Treasury, chief clerk, supervising architect and assistant architect, clerks, messengers, assistant messengers, and laborers	118,200 00	
For compensation of the First Comptroller, chief clerk, and the clerks, messenger, and laborers in his office	47,940 00	
For compensation of the Second Comptroller, chief clerk, and the clerks, messenger, and assistant messenger, and laborer in his office	134,380 00	
For compensation of the First Auditor, chief clerk, and the clerks, messenger, assistant messenger, and laborer in his office	59,240 00	
For compensation of the Second Auditor, chief clerk, and the clerks, messenger, assistant messengers, and laborers in his office	521,160 00	
For compensation of the Third Auditor, chief clerk, and the clerks, messengers, assistant messengers, and laborers in his office	382,080 00	
For compensation of the Fourth Auditor, chief clerk, and the clerks, messenger, assistant messenger, and laborer in his office	110,540 00	
For compensation of the Fifth Auditor, chief clerk, and the clerks, messenger, and laborer in his office	47,840 00	

For compensation of the Auditor of the Treasury for the Post Office Department, chief clerk, and the clerks, messenger, assistant messenger, and the laborers in his office	191,540 00	
For compensation of the Treasurer of the United States, Assistant Treasurer, cashier, assistant cashier, chiefs of division, book-keepers, tellers, assistant tellers, chief clerk, and the clerks, messengers, assistant messengers, and laborers in his office	169,380 00	
For compensation of the Register of the Treasury, Assistant Register, chief clerk, and the clerks, messengers, assistant messenger, and laborers in his office	90,840 00	
For compensation of the Solicitor of the Treasury, chief clerk, and the clerks and messenger in his office	18,340 00	
For compensation of the Commissioner of Customs, chief clerk, and the clerks and messenger and laborer in his office	40,640 00	
For compensation of the chief clerk, clerks, messenger, and laborer of the Light-house Board	9,240 00	
For compensation of the Comptroller of the Currency, deputy comptroller, clerks, messengers, and laborers	120,200 00	
For paper, special dies, and printing of circulating notes, and expenses necessarily incurred (including express charges) in procuring the same, in the office of the Comptroller of the Currency	150,000 00	
For salaries of commissioner, deputy commissioner, and clerks of Internal Revenue office, together with rent, dies, paper, and so forth, for stamps and incidental expenses, including the cost of subscription to such number of copies of the "Internal Revenue Record and Customs Journal" as the Secretary of the Treasury may deem necessary to supply the revenue officers	1,000 000 00	
For office furniture, maps, labor, miscellaneous items, and other contingent expenses for the office of the Commissioner of Internal Revenue	50,000 00	

CONTINGENT EXPENSES OF THE TREASURY DEPARTMENT.

In the office of the Secretary of the Treasury:		
For copying, labor, binding, sealing slips' registers, translating foreign languages, adver-		
Amount carried forward	7,116,659 80	114,094,466 72

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$7,116,659 80	$114,094,466 72
tising, and extra clerk-hire for preparing and collecting information to be laid before Congress, and for miscellaneous items	50,000 00	
For compensation of temporary clerks in the Treasury Department, and for additional compensation to officers and clerks in the same department	160,000 00	
In the office of the First Comptroller:		
For furniture, public documents, State and Territorial statutes, postage and miscellaneous items	1,000 00	
In the office of the Second Comptroller:		
For blank books, binding, furniture and miscellaneous, including subscription to one city newspaper	4,000 00	
In the office of the First Auditor:		
For stationery, office furniture and miscellaneous items	1,500 00	
In the office of the Second Auditor:		
For office furniture, and miscellaneous items, including two of the city newspapers	25,000 00	
In the office of the Third Auditor:		
For office, furniture, carpeting, two newspapers, preserving files and papers, bounty land service, and miscellaneous items	15,000 00	
In the office of the Fourth Auditor:		
For contingent expenses of the office, including two daily newspapers	3,000 00	
In the office of the Fifth Auditor:		
For postage, furniture and miscellaneous expenses, including two daily newspapers	2,000 00	
In the office of the Auditor for the Post Office Department:		
For contingent expenses of the office	6,000 00	
In the office of the Treasurer:		
For contingent expenses of the office	7,500 00	
In the office of the Register:		

For arranging and binding cancelled marine papers, and for official papers and records, and miscellaneous items, including office furniture	8,000 00	
Office of Solicitor of the Treasury:		
For books, binding, stationery, labor, and miscellaneous items, and for statutes and reports, and for care of library	2,200 00	
Office of the Commissioner of Customs:		
For stationery, miscellaneous items, and office furniture	3,000 00	
LIGHT-HOUSE BOARD.		
For miscellaneous expenses and postage	600 00	
OFFICE OF THE COMPTROLLER OF THE CURRENCY.		
For furniture and miscellaneous items	5,000 00	
For stationery of the Treasury Department and its several bureaus	125,000 00	
FOR THE GENERAL PURPOSES OF THE SOUTHEAST EXECUTIVE BUILDING, INCLUDING THE EXTENSION.		
For compensation of twelve watchmen and eleven laborers of the southeast executive building	13,800 00	
For contingent expenses of said building, viz: for fuel, light, labor, and miscellaneous items	75,000 00	
For rent of buildings for the accommodation of clerks who cannot be accommodated in the Treasury building	2,000 00	
DEPARTMENT OF THE INTERIOR.		
For compensation of the Secretary of the Interior, Assistant Secretary, chief clerk, and the clerks, messenger, assistant messengers, watchmen, and laborers in his office	46,380 00	
Amount carried forward	7,672,639 80	114,094,466 72

Object of appropriation.	Amount.	Total.
Amount brought forward	$7,672,639 80	$114,094,466 72
For compensation of the Commissioner of the General Land Office, chief clerk, recorder, draughtsman, assistant draughtsman, clerks, messengers, assistant messengers, packers, watchmen, and laborers in his office	175,440 00	
For compensation of additional clerks in the General Land Office, under the act of third March, one thousand eight hundred and fifty-five, granting bounty land, and for laborers employed therein	58,640 00	
For compensation of the Commissioner of Indian Affairs, chief clerk, and the clerks, messenger, assistant messenger, watchman, and laborer in his office	31,940 00	
For compensation of the Commissioner of Pensions, chief clerk, and the clerks, messengers, assistant messengers, watchmen, and laborers in his office	215,340 00	
For additional clerks in the Pension Office	21,000 00	
CONTINGENT EXPENSES DEPARTMENT OF THE INTERIOR.		
Office of the Secretary of the Interior:		
For stationery, furniture, and other contingencies, and for books and maps for the library	7,000 00	
For casual repairs of the Patent Office building	12,500 00	
For expenses of packing and distributing congressional journals and documents, in pursuance of the provisions contained in the joint resolution of Congress approved twenty-eighth January, eighteen hundred and fifty-seven, and act fifth February, eighteen hundred and fifty-nine	6,000 00	
For fuel and lights for the Patent Office building, including the salaries of engineer and assistant engineer of the furnaces	18,000 00	
Office of the Commissioner of Indian Affairs:		
For blank books, binding, stationery, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office	4,000 00	

Office of the Commissioner of Pensions:		
For stationery, engraving, and retouching plates for bounty land warrants, and binding the same, office furniture, and repairing the same, and miscellaneous items, including two city daily newspapers	15,000 00	
Office of the Commissioner of Public Buildings:		
For compensation of the Commissioner of Public Buildings, and the clerk and messenger in his office	4,200 00	
For stationery, blank books, plans, drawings, and other contingent expenses of his office	500 00	
SURVEYORS GENERAL AND THEIR CLERKS.		
For compensation of the surveyor general of Wisconsin and Iowa, and clerks for completing and winding up the business in his office	4,800 00	
For compensation of the surveyor general of Minnesota and the clerks in his office	8,300 00	
For compensation of the surveyor general of the Territories of Dakota and Montana, and the clerks in his office	6,300 00	
For compensation of the surveyor general of Kansas and Nebraska, and the clerks in his office	8,300 00	
For compensation of the surveyor general of the Territories of Colorado, Utah, and Idaho, and the clerks in his office	7,000 00	
For compensation of the surveyor general of New Mexico and Arizona	3,000 00	
For compensation of the surveyor general of California and Nevada, and the clerks in his office	14,000 00	
For compensation of the surveyor general of Oregon, and the clerks in his office	6,500 00	
For compensation of the surveyor general of Washington Territory, and the clerks in his office	6,500 00	
For compensation of recorder of land titles in Missouri	500 00	
For rent of surveyor general's office in Oregon, fuel, books, stationery, and other incidental expenses, including pay of messenger	1,500 00	
Amount carried forward	8,308,899 80	114,094,466 72

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$8,308,899 80	$114,094,466 72
For rent of surveyor general's office of California and Nevada, fuel, books, stationery and other incidental expenses, including pay of messenger	5,000 00	
For office rent for the surveyor general of Washington Territory, fuel, books, stationery, and other incidental expenses	2,000 00	
For office rent of the surveyor general of Kansas and Nebraska, fuel and incidental expenses	2,000 00	
For rent of surveyor general's office in the Territories of Dakota and Montana, fuel, books, stationery and other incidental expenses	2,000 00	
For rent of office for the surveyor general of Colorado, Utah, and Idaho Territories, fuel, books, stationery, and other incidental expenses	1,500 00	
EXPENSES OF COURTS OF THE UNITED STATES.		
For defraying the expenses of the Supreme Court and district courts of the United States, including the District of Columbia, and also for jurors and witnesses, in aid of funds arising from fines, penalties, and forfeitures, in the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, and previous years, and likewise for defraying the expenses of suits in which the United States is concerned, including legal assistance to the Attorney General, and other special and extraordinary expenditures, in cases of the Supreme Court of the United States in which the United States are concerned, and of prosecuting for offences committed against the United States, and for the safe-keeping of prisoners	304,000 00	
To enable the Secretary of the Interior to pay the balance due for work done on and materials furnished for that part of the custom-house building at New Orleans reserved for the use of the federal courts	4,268 65	

WAR DEPARTMENT.

For compensation of the Secretary of War, Assistant Secretaries of War, Solicitor, chief clerk, and the clerks, messenger, assistant messengers, and laborer in his office	63,880 00	
For compensation of the clerks and messengers in the office of the Adjutant General	223,920 00	
For compensation of the clerks, messengers, assistant messengers, and laborers in the office of the Quartermaster General	390,160 00	
For compensation of the clerks, messengers, assistant messengers, and laborers in the office of the Paymaster General	208,400 00	
For compensation of the clerks, messenger, and laborers in the office of the Commissary General	85,640 00	
For compensation of the clerks, messenger, and laborer in the office of the Surgeon General	43,840 00	
For compensation of the clerks, messengers, and laborer in the office of the Chief Engineer	28,740 00	
For compensation of the clerks and messenger in the office of the Colonel of Ordnance	60,040 00	
For compensation of the clerks in the office of Military Justice	7,200 00	

CONTINGENT EXPENSES OF THE WAR DEPARTMENT.

Office of the Secretary of War:		
For blank books, stationery, labor, books, maps, extra clerk hire, and miscellaneous items	20,000 00	
Office of the Adjutant General:		
For blank books, stationery, binding, and miscellaneous items	25,000 00	
Office of the Quartermaster General:		
For blank books, stationery, binding, and miscellaneous items	20,000 00	
Office of the Paymaster General:		
For blank books, stationery, binding, and miscellaneous items	10,000 00	
Office of the Commissary General:		
For blank books, stationery, and binding, including rent of office and hire of watchmen	20,000 00	
Office of the Chief Engineer:		
For blank books, stationery, binding, and miscellaneous items	3,500 00	
Amount carried forward	9,839,988 45	114,094,466 72

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$9,839,988 45	$114,094,466 72
Office of the Surgeon General:		
For blank books, stationery, binding, and miscellaneous items, including rent of office	15,000 00	
Office of the Chief of Ordnance:		
For blank books, stationery, binding, and miscellaneous items	10,000 00	
Office of Military Justice:		
For blank books, stationery, binding, and miscellaneous items	1,500 00	
FOR THE GENERAL PURPOSES OF THE NORTHWEST EXECUTIVE BUILDING.		
For compensation of superintendent, four watchmen, and two laborers of the northwest executive building	3,850 00	
For labor, fuel, light, and miscellaneous items	20,000 00	
FOR THE GENERAL PURPOSES OF THE BUILDING CORNER OF F AND SEVENTEENTH STREETS.		
For compensation of superintendent, four watchmen, and two laborers for said building	3,850 00	
For fuel, compensation of firemen, and miscellaneous items	10,000 00	
FOR THE GENERAL PURPOSES OF THE BUILDING CORNER OF F AND FIFTEENTH STREETS.		
For superintendent, watchmen, rent, fuel, lights and miscellaneous items	15,000 00	
NAVY DEPARTMENT.		
For compensation of the Secretary of the Navy, Assistant Secretary of the Navy, solicitor and naval judge advocate general, chief clerk, and the clerks, messenger, assistant messengers, and laborers in his office	58,140 00	

For compensation of the chief of the Bureau of Navy Yards and Docks, and the civil engineer, chief clerk, clerks, messenger and laborers in his office	19,240 00	
For compensation of the chief of the Bureau of Equipment and Recruiting, chief clerk, and the clerks, messenger, and laborer in his office	16,140 00	
For compensation of the chief of the Bureau of Navigation, chief clerk, and the clerks, messenger, and laborer in his office	9,340 00	
For compensation of the chief of the Bureau of Ordnance, and the assistant, chief clerk, clerks, draughtsman, messenger, and laborers in his office	18,820 00	
For compensation of the chief of the Bureau of Construction and Repair, chief clerk, and the clerks, draughtsman, messenger, and laborer in his office	16,340 00	
For compensation of the chief of the Bureau of Steam Engineering, chief clerk, and the clerks, draughtsman, messenger, and laborer in his office	10,740 00	
For compensation of the chief of the Bureau of Provisions and Clothing, chief clerk, and the clerks, messenger, and laborer	24,340 00	
For compensation of the chief of the Bureau of Medicine and Surgery, assistant, and the clerks, messenger, and laborer in his office	10,540 00	
INCIDENTAL AND CONTINGENT EXPENSES OF THE NAVY DEPARTMENT.		
Office of the Secretary of the Navy:		
For stationery, labor, newspapers, periodicals, and miscellaneous items	5,000 00	
Bureau of Yards and Docks:		
For stationery, books, plans, drawings, and incidental labor	1,800 00	
Bureau of Equipment and Recruiting:		
For stationery, books, and miscellaneous items	500 00	
Bureau of Navigation:		
For stationery, blank books, and miscellaneous items	2,400 00	
Bureau of Ordnance:		
For stationery and miscellaneous items	1,300 00	
Bureau of Construction and repair:		
For stationery and miscellaneous items	1,000 00	
Amount carried forward	10,114,828 45	114,094,466 72

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$10,114,828 45	$114,094,466 72
Bureau of Steam Engineering:		
For stationery and miscellaneous items	2,500 00	
Bureau of Provisions and Clothing:		
For stationery and miscellaneous items	1,500 00	
Bureau of Medicine and Surgery:		
For blank books, stationery, and miscellaneous items	800 00	
To defray the expense of introducing water into the Naval Academy grounds and buildings at Annapolis, Maryland	9,000 00	
FOR THE GENERAL PURPOSES OF THE SOUTHWEST EXECUTIVE BUILDING.		
For compensation of five watchmen and two laborers of the southwest executive building.	4,752 00	
For contingent expenses of said building, viz:		
For labor, fuel, lights, and miscellaneous items	7,500 00	
POST OFFICE DEPARTMENT.		
For compensation of the Postmaster General, three Assistant Postmasters General, chief clerk, and the clerks, messenger, assistant messengers, watchmen, and laborers of said department	177,720 00	
For compensation of authorized additional and for temporary clerks	37,000 00	
CONTINGENT EXPENSES OF THE POST OFFICE DEPARTMENT.		
For blank books, binding, and stationery, fuel for the General Post Office building, including the Auditor's office, oil, gas, and candles, printing, repair of the General Post Of-		

fice building, office furniture, glazing, painting, whitewashing, and for keeping the fireplaces and furnaces in order; for engineer for steam-engine, laborers, watchmen, repairs of furniture, and for miscellaneous items	45,000 00	
MONEY-ORDER BUREAU.		
For compensation of superintendent and the clerks in his office	7,500 00	
TOPOGRAPHER.		
For preparing and publishing post route maps of the United States	10,000 00	
DEPARTMENT OF AGRICULTURE.		
For compensation of Commissioner of Agriculture, chief clerk, and the clerks and employés in his office	39,600 00	
For contingencies, viz: For stationery, purchase of library, laboratory, rent, and miscellaneous items	11,500 00	
For collecting agricultural statistics	10,000 00	
For purchase and distribution of new and valuable seeds, viz: For purchase of cereal, vegetable, and flower seeds, and for labor in putting up seeds, seed-bags, and miscellaneous items	60,000 00	
For employés in seed-room	5,200 00	
For propagation and distribution of plants, cuttings, and shrubs	14,000 00	
For experimental garden in reservation number two	8,800 00	
MINT AT PHILADELPHIA.		
For salaries of the director, treasurer, assayer, melter and refiner, chief coiner and engraver, assistant assayer, and seven clerks	35,500 00	
Amount carried forward	10,602,700 45	114,094,466 72

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$10,602,700 45	$114,094,466 72
For wages of workmen and adjusters	125,000 00	
For specimens of ores and coins	600 00	
For freight on bullion and coin	5,000 00	
BRANCH MINT AT SAN FRANCISCO, CALIFORNIA.		
For salaries of superintendent, treasurer, assayer, melter and refiner, coiner, and six clerks	32,000 00	
For wages of workmen and adjusters	200,000 00	
For incidental and contingent expenses, repairs, and wastage	100,000 00	
ASSAY OFFICE, NEW YORK.		
For salaries of superintendent, assayer, and melter and refiner, assistant assayer, officers, and clerks	25,700 00	
For wages of workmen	40,000 00	
For incidental and contingent expenses	35,000 00	
BRANCH MINT AT DENVER.		
For superintendent, assayer, melter, refiner, coiner, and clerks	13,000 00	
For wages of workmen	20,301 00	
For incidental and contingent expenses	12,000 00	

INDEPENDENT TREASURY.

For salaries of the assistant treasurers of the United States at New York, Boston, Charleston, and St. Louis, viz: For the assistant treasurer at New York, eight thousand dollars; those at Boston and St. Louis, each, five thousand dollars; and the one at Charleston, two thousand five hundred dollars	20,500 00	
For additional salary of the treasurer of the mint at Philadelphia	1,000 00	
For additional salary of the treasurer of the branch mint at New Orleans	500 00	
For additional salary of the treasurer of the branch mint at Denver	500 00	
For additional salary of the clerks and messengers in the office of assistant treasurer at Boston	25,200 00	
For salaries of clerks, messengers, and watchmen, in the office of assistant treasurer at Philadelphia	18,300 00	
For salaries of additional clerks in the office of assistant treasurer at Philadelphia	6,585 00	
For salaries of clerks, messengers, and watchmen in the office of assistant treasurer at New York	120,320 00	
For salaries of clerks, messenger, and watchmen in the office of assistant treasurer at St. Louis	9,760 00	
For additional salaries to the messenger at four hundred dollars per annum, and to four watchmen at one hundred dollars per annum each, in the office of the assistant treasurer at Saint Louis	800 00	
For salaries of clerks, porter, and watchmen in the office of the assistant treasurer at New Orleans	9,600 00	
For compensation to stamp clerk in the office of the assistant treasurer at San Francisco	2,400 00	
For compensation of the depositary at Santa Fé, and the clerk, watchman, and porter in his office	4,800 00	
For salary of the clerk to the acting assistant treasurer at Denver	1,800 00	
For salaries of additional clerks, and additional compensation of officers and clerks	60,000 00	
For compensation to designated depositaries	8,000 00	
For compensation to special agents	8,000 00	
For salaries of ten supervising and fifty-six local inspectors	85,000 00	
For contingent expenses	250,000 00	
Amount carried forward	11,844,366 45	114,094,466 72

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$11,844,366 45	$114,094,466 72
For checks and certificates of deposit for office of assistant treasurer at New York and other offices	18,000 00	
GOVERNMENTS IN THE TERRITORIES.		
TERRITORY OF NEW MEXICO.		
For salaries of governor, chief justice, and two associate judges, and secretary	12,000 00	
For contingent expenses of said Territory	1,000 00	
For interpreter and translator in the executive office	500 00	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly	20,000 00	
TERRITORY OF UTAH.		
For salaries of governor, chief justice, two associate judges, and secretary	12,000 00	
For contingent expenses of the Territory	1,500 00	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly	18,000 00	
TERRITORY OF WASHINGTON.		
For salaries of governor, chief justice, two associate judges, and secretary	12,500 00	
For contingent expenses of said Territory	1,500 00	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly	20,000 00	

TERRITORY OF NEBRASKA.		
For salaries of governor, chief justice, and two associate judges, and secretary	10,500 00	
For contingent expenses of said Territory	1,000 00	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly	15,000 00	
TERRITORY OF COLORADO.		
For salaries of governor and superintendent of Indian affairs, chief justice, and two associate judges, and secretary	9,700 00	
For contingent expenses of said Territory	1,000 00	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly	10,000 00	
TERRITORY OF DAKOTA.		
For salaries of governor and superintendent of Indian affairs, chief justice, and two associate judges, and secretary	9,700 00	
For contingent expenses of the Territory	1,000 00	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly	15,000 00	
TERRITORY OF ARIZONA.		
For salaries of governor, chief justice, and two associate judges, and secretary	12,000 00	
For contingent expenses of the Territory	1,000 00	
For interpreter and translator in the executive office	500 00	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly	20,000 00	
Amount carried forward	12,067,766 45	114,094,466 72

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$12,067,766 45	$114,094,466 72
TERRITORY OF IDAHO.		
For salaries of governor and superintendent of Indian affairs, chief justice, and two associate judges, and secretary	12,000 00	
For contingent expenses of the Territory	1,000 00	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly	20,000 00	
TERRITORY OF MONTANA.		
For compensation of governor and superintendent of Indian affairs, chief justice, and two associate judges and secretary	12,000 00	
For contingent expenses of the Territory	1,000 00	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses	20,000 00	
JUDICIARY.		
OFFICE OF THE ATTORNEY GENERAL.		
For salaries of the Attorney General, Assistant Attorney General, and the clerks and messenger in his office	23,700 00	
For two additional temporary clerks of class one	2,400 00	
Contingent expenses of the office of the Attorney General, namely:		
For fuel, labor, furniture, stationery, and miscellaneous items	4,000 00	

For the purchase of law and necessary books for the office of the Attorney General	500 00	
For legal assistance and other necessary, special, and extraordinary expenditures in the disposal of private land claims in California	5,000 00	
JUSTICES OF THE SUPREME COURT OF THE UNITED STATES.		
For salaries of the Chief Justice and nine associate justices	60,500 00	
For travelling expenses of the judge assigned to the tenth circuit for attending session of the Supreme Court of the United States	1,000 00	
For salaries of the district judges of the United States	126,000 00	
For salaries of the chief justice of the supreme court of the District of Columbia, the associate judges, and judge of the orphans' court	19,000 00	
For salary of the reporter of the decisions of the Supreme Court of the United States, which is hereby fixed at that amount	2,500 00	
For additional compensation to three clerks in the department of the Attorney General, for extraordinary services under the amnesty proclamation of May twenty-ninth, eighteen hundred and sixty-five, to be apportioned one thousand to the principal clerk, and five hundred each to the other two clerks	2,000 00	
For compensation of the district attorneys	19,250 00	
For compensation of the district marshal	12,000 00	
For necessary expenses in carrying into effect the several acts of Congress authorizing loans and the issue of treasury notes	2,000,000 00	
For salaries and expenses of collectors, assessors, assistant assessors, revenue agents, inspectors and superintendents of exports and drawback, together with the expense of carrying into effect the forty-fourth section of the internal revenue act of June thirtieth, eighteen hundred and sixty-four, and all other expenses of carrying into effect the various provisions of the several acts providing internal revenue, except salaries of commissioner, deputy commissioner, and clerks of internal revenue office, together with rent, dies, paper, and so forth, for stamps and incidental expenses	10,800,000 00	
For compensation to the laborer in charge of the water-closets in the Capitol	538 00	
For compensation of four laborers in Capitol	2,400 00	
Amount carried forward	25,214,554 45	114,094,466 72

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$25,214,554 45	$114,094,466 72
For compensation to the public gardener	1,440 00	
For compensation of a foreman and twenty-one laborers employed in the public grounds	13,400 00	
For compensation of the keeper of the western gate, Capitol square	876 00	
For compensation of two day watchmen employed in the Capitol square	1,200 00	
For compensation of two night watchmen at the President's House	1,200 00	
To enable the Commissioner of Public Buildings to pay two policemen at the President's House	2,640 00	
To enable the Commissioner of Public Buildings to pay two policemen at the President's House	2,023 34	
For compensation of the doorkeeper at the President's House	1,000 00	
For compensation of one night watchman at the public stables and carpenter shop south of the Capitol	1,000 00	
For compensation of two watchmen in reservation number two	1,200 00	
For compensation of eight draw-keepers at the Potomac bridge, and for fuel, oil, and lamps	7,553 60	
For compensation of two draw-keepers at the two bridges across the eastern branch of the Potomac, and for fuel, oil, and lamps	1,396 00	
For compensation of furnace-keeper under the old hall of the House of Representatives	600 00	
For compensation of furnace-keeper at the President's House	600 00	
METROPOLITAN POLICE.		
For salaries and other necessary expenses of the Metropolitan Police of the District of Columbia	120,000 00	
For the construction of a police telegraph in the City of Washington	15,000 00	
For additional salary of the Treasurer of the United States	Indefinite.	
For additional salary of the Commissioner of Public Buildings	Indefinite.	

For salaries of officers and clerks of the President's household	Indefinite.	
For salaries of Assistant Solicitor of the Treasury, and law clerk of the Attorney General's office	5,500 00	
For increased salaries of females employed in the several departments	Indefinite.	
For twenty per centum additional to the females, messengers, watchmen, and laborers employed in the several departments, and under Commissioner of Public Buildings and Commissioner of Agriculture, provided for by section three of an act making appropriations for the legislative, executive and judicial expenses of the government for the year ending June thirtieth, eighteen hundred and sixty-five, and for other purposes	Indefinite.	
For increase of the clerical force in the several bureaus of the Navy Department	Indefinite.	
For purchasing annuity goods for the Indians parties to the treaty of Fort Laramie, and for the Blackfoot nation, to replace those destroyed by fire on the steamer Frank Bates, at St. Louis, April seventh, eighteen hundred and sixty-six	39,276 50	
For the settlement of claims in which moneys accruing to the United States from "fines, penalties, and forfeitures," or other sources, have been erroneously received and covered into the treasury, before the payment of the proper informers' moieties, or other charges legally and partly chargeable against the same	Indefinite.	
	25,430,459 89	
		25,430,459 89
By the act making appropriations for the consular and diplomatic expenses of the government for the year ending thirtieth June, eighteen hundred and sixty-seven, and for other purposes.		
For salaries of envoys extraordinary, ministers, and commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Austria, Brazil, Republic of Mexico, China, Italy, Chili, Peru, Switzerland, Rome, Belgium, Holland, Denmark, Sweden, Turkey, New Granada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, Argentine Confederation, Paraguay, Japan, and Salvador	308,500 00	
For salaries of secretaries of legation	30,000 00	
Amount carried forward	338,500 00	139,524,926 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$338,500 00	$139,524,926 61
For salaries of assistant secretaries of legation at London and Paris	3,000 00	
For salary of the interpreter to the legation to China	5,000 00	
For salary of the secretary of legation to Turkey, acting as interpreter	3,000 00	
For salary of the interpreter to the legation to Japan	2,500 00	
For contingent expenses of all the missions abroad	50,000 00	
For contingent expenses of foreign intercourse	65,000 00	
For expenses of intercourse with the Barbary powers	3,000 00	
For expenses of the consulates in the Turkish dominions, namely: interpreters, guards, and other expenses of the consulates at Constantinople, Smyrna, Candia, Alexandria, and Beirut	2,500 00	
For the relief and protection of American seamen in foreign countries	200,000 00	
For expenses which may be incurred in acknowledging the services of the masters and crews of foreign vessels in rescuing citizens of the United States from shipwreck	10,000 00	
For the purchase of blank books, stationery, bookcases, arms of the United States, seals, presses, and flags, and for the payment of postages and miscellaneous expenses of the consuls of the United States, including loss by exchange	50,000 00	
For office rent for those consuls general, consuls, and commercial agents who are not allowed to trade, including loss by exchange thereon	45,000 00	
For salaries of consuls general, consuls, commercial agents, and thirteen consular clerks, including loss by exchange thereon, namely:		
I. Consulates General.		
Schedule B.		
Alexandria, Calcutta, Constantinople, Frankfort-on-the-Main, Havana, Montreal, Shanghai.		

II. CONSULATES.

Schedule B.

Acapulco, Aix-la-Chapelle, Algiers, Amoy, Amsterdam, Antwerp, Aspinwall, Bankok, Basle, Belfast, Beirut, Buenos Ayres, Bordeaux, Bremen, Brindisi, Boulogne, Barcelona, Cadiz, Callao, Candia, Canton, Chin Kiang, Clifton, Coaticook, Cork, Demerara, Dundee, Elsinore, Erie, Foo Choo, Funchal, Geneva, Genoa, Gibraltar, Glasgow, Goderich, Guaymas, Halifax, Hamburg, Havre, Honolulu, Hong-Kong, Hankow, Jerusalem, Kanagawa, Kingston in Canada, La Rochelle, Laguayra, Lahaina, Leeds, Leghorn, Leipsic, Lisbon, Liverpool, London, Lyons, Malaga, Malta, Manchester, Matanzas, Marseilles, Mauritius, Melbourne, Messina, Moscow, Munich, Negasaki, Naples, Nassau, (West Indies,) Newcastle, Nice, Nantes, Odessa, Oporto, Palermo, Panama, Paris, Pernambuco, Pictou, Ponce, Port Mahon, Prescott, Prince Edward Island, Revel, Rio de Janeiro, Rotterdam, San Juan del Sur, San Juan, (Porto Rico,) Saint John, (Canada East,) Santiago de Cuba, Port Sarnia, Singapore, Smyrna, Spezzia, Southampton, Saint John, (Newfoundland,) Saint Petersburg, Saint Pierre, (Martinique,) Saint Thomas, Stuttgardt, Swatow, Saint Helena, Tampico, Tangier, Toronto, Trieste, Trinidad de Cuba, Tripoli, Tunis, Turk's Island, Valparaiso, Vera Cruz, Vienna, Windsor, Zurich.

III. COMMERCIAL AGENCIES.

Schedule B.

Balize, (Honduras,) Madagascar, San Juan del Norte, Saint Domingo.

IV. CONSULATES.

Schedule C.

Aux Cayes, Bahia, Batavia, Bay of Islands, Cape Hatien, Cape Town, Carthagena, Ceylon, Cobija, Cyprus, Falkland Islands, Fayal, Guayaquil, Lanthala, Maranham, Mata-

Amount carried forward.....	777,500 00	139,524,926 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$777,500 00	$139,524,926 61
moras, Mexico, Montevideo, Omoa, Payta, Para, Paso del Norte, Piræus, Rio Grande, Sabanilla, Saint Catherine, Santa Cruz, (West Indies,) Santiago, (Cape Verde,) Spezzia, Stettin, Tabasco, Tahita, Talcahuano, Tumbez, Venice, Zanzibar.		
V. Commercial Agencies.		
Schedule C.		
Amoor river, Apia, Gaboon, Saint Paul de Loando, [Loanda.]	425,000 00	
For interpreters to the consulates in China, and to the consular court at Bankok, in Siam, including loss by exchange thereon	8,300 00	
For expenses incurred, under instructions from the Secretary of State, in bringing home from foreign countries persons charged with crime, and expenses incident thereto	20,000 00	
For salaries of the marshals for the consular courts in Japan, including that at Nagasaki, and in China, Siam, and Turkey, including loss by exchange thereon	10,000 00	
For rent of prisons for American convicts in Japan, China, Siam, and Turkey, and for wages of the keepers of the same	9,000 00	
For salaries of commissioners and consuls general to Hayti, Liberia, and Dominica	19,000 00	
For expenses under the act of Congress to carry into effect the treaty between the United States and her Britannic Majesty for the suppression of the African slave trade	17,000 00	
For expenses under the act to encourage immigration	20,000 00	
For further compensation of the commissioner under the treaty between the United States and her Britannic Majesty for the final settlement of the claims of the Hudson Bay and Puget Sound Agricultural Company	3,000 00	
For expenses under the neutrality act	20,000 00	

For expenses of the commission to run and mark the boundary line between the United States and the British possessions bounding on Washington Territory	13,110 00	
For the payment of the second annual instalment of the proportion contributed by the United States towards the capitalization of the Scheldt dues, to fulfil the stipulations contained in the fourth article of the convention between the United States and Belgium of the twentieth of May, eighteen hundred and sixty-three, (in coin.)	55,584 00	
And such further sum as may be necessary to carry out the stipulation of the convention providing for payment of interest on the said sum, and on the portion of the principal remaining unpaid	Indefinite.	
For repairs of cemetery, fences, and sexton's house belonging to the United States, in the city of Mexico	1,500 00	
For salaries of Assistant Secretary of State, and examiner of claims for the same department	6,500 00	
		1,405,494 00
By the act authorizing the construction of a jail in and for the District of Columbia.		
For carrying out the purposes of the said act		200,000 00
By the act to establish in the District of Columbia a House of Correction for boys.		
For carrying out the purposes of the said act		12,000 00
By the act to grade East Capitol street and establish Lincoln Square.		
For grading East Capitol street from Third street east to Eleventh street east, and to cause the square at the intersection of said street with Massachusetts, North Carolina, Tennessee, and Kentucky avenues, between Eleventh and Thirteenth streets east, to be enclosed with a wooden fence		15,000 00
Amount carried forward		141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward		$141,157,420 61
Act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending thirtieth June, eighteen hundred and sixty-seven, and for other purposes.		
For the current and contingent expenses of the Indian Department, namely:		
For the pay of superintendents of Indian affairs and of Indian agents	$110,050 00	
For pay of sub-agents	6,000 00	
For pay of clerk to superintendent at St. Louis, Missouri	1,200 00	
For pay of temporary clerks by superintendents of Indian affairs	5,000 00	
For pay of clerk to superintendent of Indian affairs in California	1,800 00	
For pay of interpreters	28,400 00	
For presents to Indians	5,000 00	
For provisions for Indians	11,800 00	
For buildings at agencies and repairs thereof	10,000 00	
For contingencies of the Indian Department	36,500 00	
For fulfiling treaty stipulations with the various Indian tribes:		
CHASTA, SCOTON, AND UMPQUA INDIANS.		
For twelfth of fifteen instalments of annuity, to be expended as directed by the President, per third article treaty eighteenth November, eighteen hundred and fifty-four	2,000 00	
For twelfth of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four	1,000 00	
For twelfth of fifteen instalments for pay of physician, medicines, and expense of care of the sick, per fifth article treaty eighteenth November, eighteen hundred and fifty-four	1,500 00	

For twelfth of fifteen instalments for pay of teachers and purchase of books and stationery, per fifth article treaty eighteenth November, eighteen hundred and fifty-four	1,200 00	
CHIPPEWAS OF LAKE SUPERIOR.		
For two-thirds of last of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	8,333 33	
For two-thirds of last of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	800 00	
For two-thirds of last of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	7,000 00	
For two-thirds of last of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	1,333 33	
For two-thirds of last of twenty-five instalments for the pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	666 67	
For two-thirds of last of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	1,333 33	
For twelfth of twenty instalments in coin, per fourth article treaty thirtieth September, eighteen hundred and fifty-four	5,000 00	
For twelfth of twenty instalments in goods, household furniture, and cooking utensils, per fourth article treaty thirtieth September, eighteen hundred and fifty-four	8,000 00	
For twelfth of twenty instalments for agricultural implements, and cattle, carpenters' and other tools, and building materials, per fourth article treaty thirtieth September, eighteen hundred and fifty-four	3,000 00	
Amount carried forward	256,916 66	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$256, 916 66	$141, 157, 420 61
For twelfth of twenty instalments for moral and educational purposes, three hundred dollars of which to be paid to the Grand Portage band yearly, to enable them to maintain a school at their village, per fourth article treaty thirtieth September, eighteen hundred and fifty-four	3, 000 00	
For twelfth of twenty instalments for six smiths and assistants, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four	5, 040 00	
For twelfth of twenty instalments for the support of six smiths' shops, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four	1, 320 00	
For tenth of twenty instalments for the seventh smith and assistant, and support of shops, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four	1, 060 00	
For support of a smith, assistant, and shop for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four	1, 060 00	
For support of two farmers for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four	1, 200 00	
For gratuities for the purpose of quieting the claim of the Lac de Flambeau band of Chippewas, for an interest in the land ceded to the United States by the Bois Forte band of Chippewa Indians	3, 000 00	
CHIPPEWAS OF THE MISSISSIPPI.		
For one-third of last of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	4, 166 67	
For one-third of last of twenty-five instalments for the pay of two carpenters, per fourth		

article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	400 00	
For one-third of last of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	3,500 00	
For one-third of last of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	666 67	
For one-third of last of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	666 67	
For one-third of last of twenty-five instalments for the support of two smiths' shops, including the pay of two smiths and assistants, and furnishing iron and steel, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	666 67	
For one-third of last of twenty-five instalments for pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four	333 33	
For twelfth of twenty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five	20,000 00	
CHIPPEWAS, PILLAGER, AND LAKE WINNEBAGOSHISH BANDS.		
For twelfth of thirty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five	10,666 66	
For twelfth of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five	8,000 00	
For twelfth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five	4,000 00	
For twelfth of twenty instalments for purposes of education, per third article treaty twenty-second February, eighteen hundred and fifty-five	3,000 00	
Amount carried forward	328,663 33	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$328,663 33	$141,157,420 61
For twelfth of fifteen instalments for support of two smiths and smiths' shops, per third article treaty twenty-second February, eighteen hundred and fifty-five	2,120 00	
For pay of an engineer to grist and saw mill at Leech lake, per third article of treaty of twenty-second February, eighteen hundred and fifty five	600 00	
CHIPPEWAS OF SAGINAW, SWAN CREEK, AND BLACK RIVER.		
For first of two equal instalments in coin, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of August second, eighteen hundred and fifty-five	18,800 00	
CHIPPEWA, MENOMONEE, WINNEBAGO, AND NEW YORK INDIANS.		
For education during the pleasure of Congress, per fifth article treaty eleventh August, eighteen hundred and twenty-seven	1,500 00	
CHICKASAWS.		
For permanent annuity in goods, per act of twenty-fifth February, seventeen hundred and ninety-nine	3,000 00	
CHOCTAWS.		
For permanent annuity, per second article treaty sixteenth November, eighteen hundred and five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five	3,000 00	

For permanent annuity for support of light-horsemen, per thirteenth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five	600 00	
For permanent provision for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five	6,000 00	
For permanent provision for blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five	600 00	
For permanent provision for iron and steel, per ninth article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article of treaty twenty-second June, eighteen hundred and fifty-five	320 00	
For interest on five hundred thousand dollars, at five per centum per annum, for education, support of the government, and other beneficial purposes, under the direction of the general council of the Choctaws, in conformity with the provisions contained in the tenth and thirteenth articles of the treaty of twenty-second June, eighteen hundred and fifty-five	25,000 00	
CHOCTAWS AND CHICKASAWS.		
For this amount, or so much thereof as may become due to the Choctaws and Chickasaws under the third and forty-sixth articles of the treaty of April twenty-eight, eighteen hundred and sixty-six, for interest, at the rate of five per centum, upon the amount paid for certain lands ceded by them to the United States	15,000 00	
For this amount, or so much thereof as may be necessary, to enable the Secretary of the Interior to cause a census of each tribe to be taken, as per first clause, eighth article, treaty of April twenty-eight, eighteen hundred and sixty-six	1,500 00	
For this amount to be advanced the Choctaws for the cession of the leased district, and the admission of the Kansas Indians, as per forty-sixth article treaty of April twenty-eight, eighteen hundred and sixty-six	150,000 00	
Amount carried forward	556,703 33	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$556, 703 33	$141, 157, 420 61
For this amount to be advanced the Chickasaws for the cession of the leased district, and the admission of the Kansas Indians, as per forty-sixth article treaty of April twenty-eight, eighteen hundred and sixty six	50, 000 00	
For pay of commissioners to be appointed by the President, as per forty-ninth and fiftieth articles treaty of April twenty-eight, eighteen hundred and sixty-six, and Senate amendment thereto, or so much thereof as may be necessary	4, 320 00	
COMANCHES, KIOWAS, AND APACHES OF ARKANSAS RIVER.		
For the third of five instalments, being the second series for the purchase of goods, provisions and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three	18, 000 00	
For expenses of transportation of the second of five instalments of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three	7, 000 00	
CREEKS.		
For permanent annuity in money, per fourth article treaty seventh August, seventeen hundred and ninety, and fifth article treaty seventh August, eighteen hundred and fifty-six	1, 500 00	
For permanent annuity in money, per second article treaty sixteenth June, eighteen hundred and two, and fifth article treaty seventh August, eighteen hundred and fifty-six	3, 000 00	
For permanent annuity in money, per fourth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six	20. 000 00	

For permanent annuity for blacksmith and assistant, and for shop and tools, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six	840 00	
For permanent annuity for iron and steel for shop, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six	270 00	
For permanent annuity for the pay of a wheelwright, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six	600 00	
For blacksmith and assistant, and shop and tools, during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six	840 00	
For iron and steel for shop, during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six	270 00	
For wagon-maker, during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six	600 00	
For assistance in agricultural operations, during the pleasure of the President, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six	2,000 00	
For education, during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six	1,000 00	
For five per centum interest on two hundred thousand dollars for purposes of education, per sixth article treaty seventh August eighteen hundred and fifty-six	10,000 00	
DELAWARES.		
For life annuity to chief, per private article to supplemental treaty twenty-fourth September, eighteen hundred and twenty-nine, to treaty of third October, eighteen hundred and eighteen	100 00	
Amount carried forward	677,043 33	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$677,043 33	$141,157,420 61
For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by treaty of eighteen hundred and twenty-nine, for education, per Senate resolution of January nineteenth, eighteen hundred and thirty-eight, and fifth article treaty May sixth, eighteen hundred and fifty-six	2,304 00	
IOWAS.		
For interest, in lieu of investment on fifty-seven thousand five hundred dollars, balance of one hundred and fifty-seven thousand five hundred dollars, to the first of July, eighteen hundred and sixty-six, at five per centum per annum, for education or other beneficial purposes, under the direction of the President, per second article treaty October nineteenth, eighteen hundred and thirty-eight, and ninth article treaty May seventeenth, eighteen hundred and fifty-four	2,875 00	
KANSAS.		
For interest, in lieu of investment, on two hundred thousand dollars, at five per centum per annum, per second article treaty January fourteenth, eighteen hundred and forty-six	10,000 00	
KICKAPOOS.		
For thirteenth instalment of interest, at five per centum, on one hundred thousand dollars, for educational and other beneficial purposes, per second article treaty May eighteenth, eighteen hundred and fifty-four	5,000 00	
For thirteenth instalment on two hundred thousand dollars, to be paid in eighteen hundred and sixty-seven, per second article treaty eighteenth May, eighteen hundred and fifty-four	7,000 00	

MENOMONEES.

For eleventh of twelve instalments for continuing and keeping up a blacksmith shop, and providing the usual quantity of iron and steel, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four	916 66	
For first of fifteen instalments of annuity upon two hundred and forty-two thousand six hundred and eighty-six dollars for cession of lands, per third article treaty May twelfth, eighteen hundred and fifty-four, and Senate amendment thereto	16,179 06	
For eleventh of fifteen instalments for pay of miller, per third article treaty twelfth May, eighteen hundred and fifty-four	600 00	

MIAMIES OF KANSAS.

For permanent provision for blacksmith and assistant, and iron and steel for shop, per fifth article treaty sixth October, eighteen hundred and eighteen, and fourth article treaty June fifth, eighteen hundred and fifty-four	940 00	
For permanent provision for miller, in lieu of gunsmith, per fifth article treaty sixth October, eighteen hundred and eighteen, fifth article treaty twenty-third October, eighteen hundred and thirty-four, and fourth article treaty fifth June, eighteen hundred and fifty-four	600 00	
For interest on fifty thousand dollars, at five per centum, for educational purposes, per third article treaty fifth June, eighteen hundred and fifty-four	2,500 00	
For seventh of twenty instalments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four	7,500 00	

MIAMIES OF INDIANA.

For interest on two hundred and twenty-one thousand two hundred and fifty-seven dollars and eighty-six cents, uninvested, at five per centum, for Miami Indians of Indiana, per Senate's amendment to fourth article treaty fifth June, eighteen hundred and fifty-four	11,062 89	
Amount carried forward	744,520 94	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$744,520 94	$141,157,420 61
MIAMIES—EEL RIVER.		
For permanent annuity, in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five	500 00	
For permanent annuity, in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five	250 00	
For permanent annuity, in goods or otherwise, per third and separate article to treaty thirtieth September, eighteen hundred and nine	350 00	
NISQUALLY, PUYALLUP, AND OTHER TRIBES AND BANDS OF INDIANS.		
For twelfth instalment, in part payment for relinquishment of title lands, to be applied to beneficial objects, per fourth article treaty twenty-sixth December, eighteen hundred and fifty-four	1,200 00	
For twelfth of twenty instalments for pay of instructor, smith, physician, carpenter, farmer, and assistant, if necessary, per tenth article treaty twenty-sixth December, eighteen hundred and fifty-four	6,700 00	
OMAHAS.		
For the ninth of ten instalments of this amount, being second of series, in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four	30,000 00	

OSAGES.

For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum, being the value of fifty-four sections of land set apart second June, eighteen hundred and twenty-five, for educational purposes, per Senate resolution nineteenth January, eighteen hundred and thirty-eight	3,456 00	
For interest on three hundred thousand dollars, at five per centum per annum, to be paid semi-annually in money or such articles as the Secretary of the Interior may direct, as per first article treaty of September twenty-nine, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	15,000 00	
For transportation of goods, provisions, &c., purchased by the Great and Little Osage Indians, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary	3,500 00	
OTTOES AND MISSOURIAS.		
For ninth of ten instalments, being the second series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and fifty-four	13,000 00	
OTTAWAS AND CHIPPEWAS OF MICHIGAN.		
For interest on two hundred and six thousand dollars, unpaid part of the principal sum of three hundred and six thousand dollars, for one year, at five per centum per annum, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five	10,300 00	
PAWNEES.		
For fourth of five instalments of the second series in goods and such articles as may be necessary for them, per second article treaty twenty-fourth September, eighteen hundred and fifty-seven	30,000 00	
Amount carried forward	858,776 94	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$858, 776 94	$141, 157, 420 61
For support of two manual labor schools annually, during the pleasure of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven	10, 000 00	
For pay of two teachers, under the direction of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven	1, 200 00	
For purchase of iron and steel, and other necessaries for the shop during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven	500 00	
For pay of two blacksmiths, one of whom to be a gunsmith and tinsmith, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven	1, 200 00	
For compensation of two strikers or apprentices in shop, per fourth article of treaty twenty-fourth September eighteen hundred and fifty-seven	480 00	
For ninth of ten instalments for farming utensils and stock, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven	1, 200 00	
For pay of farmer, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven	600 00	
For eighth of ten instalments for pay of miller, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven	600 00	
For eighth of ten instalments for pay of an engineer, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven	1, 200 00	
For compensation to apprentices, to assist in working the mill, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven	500 00	
For grist and saw mill, and keeping the same in repair, per fourth article treaty September twenty-fourth, eighteen hundred and fifty-seven	300 00	
POTTAWATOMIES OF HURON.		

For permanent annuity in money or otherwise, per second article treaty seventeenth November, eighteen hundred and seven	400 00	
POTTAWATOMIES.		
For permanent annuity in silver, per fourth article treaty third August, seventeen hundred and ninety-five	1,000 00	
For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine	500 00	
For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen	2,500 00	
For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight	2,000 00	
For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hunered and twenty-nine	16,000 00	
For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two	200 00	
For life annuity to chiefs, per third article treaty twenty-sixth September eighteen hundred and thirty-three	700 00	
For education during the pleasure of Congress, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and fourth article treaty twenty-seventh October, eighteen hundred and thirty-two	5,000 00	
For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twentieth September, eighteen hundred and twenty-eight, and tenth article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six	300 00	
For permanent provisions for three blacksmiths and assistants, and permanent provision for iron and steel for shops, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine	2,160 00	
Amount carried forward	907,316 94	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$907,316 94	$141,157,420 61
For iron and steel	660 00	
For permanent provision for fifty barrels of salt, per second article of treaty twenty-ninth July, eighteen hundred and twenty-nine	437 50	
For interest on six hundred and forty-three thousand dollars, at five per centum, per seventh article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six	32,150 00	
QUAPAWS.		
For education during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three	1,000 00	
For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three	1,060 00	
For farmer during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three	600 00	
ROGUE RIVERS.		
For thirteenth of sixteen instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three	2,500 00	
SACS AND FOXES OF MISSISSIPPI.		
For permanent annuity in goods or otherwise, per third article treaty third November, eighteen hundred and four	1,000 00	

For interest on two hundred thousand dollars, at five per centum, per second article treaty twenty-first October, eighteen hundred and thirty-seven	10,000 00	
For interest on eight hundred thousand dollars, at five per centum, per second article treaty eleventh October, eighteen hundred and forty-two	40,000 00	
SACS AND FOXES OF MISSOURI.		
For interest on one hundred and fifty-seven thousand four hundred dollars, at five per centum, under the direction of the President, per second article treaty twenty-first October, eighteen hundred and thirty-seven	7,870 00	
SEMINOLES.		
For the last of ten instalments for the support of schools, per eighth article treaty seventh August, eighteen hundred and fifty-six	3,000 00	
For the last of ten instalments for agricultural assistance, per eighth article treaty seventh August, eighteen hundred and fifty-six	2,000 00	
For the last of ten instalments for the support of smiths and smiths' shops, per eighth article treaty seventh August, eighteen hundred and fifty-six	2,200 00	
For five per centum interest on two hundred and fifty thousand dollars, to be paid as annuity, per eighth article treaty seventh August, eighteen hundred and fifty-six	12,500 00	
For interest on two hundred and fifty thousand dollars, at five per centum, to be paid as annuity, they having joined their brethren west, per eighth article treaty seventh August, eighteen hundred and fifty-six	12,500 00	
SENECAS.		
For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen	500 00	
For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen	500 00	
Amount carried forward	1,037,794 44	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$1,037,794 44	$141,157,420 61
For blacksmith and assistant, shop and tools, and iron and steel, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one	1,060 00	
For miller during the pleasure of the President, per fourth article treaty of twenty-eighth February, eighteen hundred and thirty-one	600 00	
SENECAS OF NEW YORK.		
For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one	6,000 00	
For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per act of twenty-seventh June, eighteen hundred and forty-six	3,750 00	
For interest, at five per centum, on forty-three thousand and fifty dollars, transferred from Ontario Bank to the United States treasury, per act of twenty-seventh June, eighteen hundred and forty-six	2,152 50	
SENECAS AND SHAWNEES.		
For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen	1,000 00	
For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twentieth July, eighteen hundred and thirty-one	1,060 00	
SHAWNEES.		
For permanent annuity for educational purposes, per fourth article treaty third August,		

seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four	1,000 00	
For thirteenth instalment of interest, at five per centum, on forty thousand dollars for education, per third article treaty tenth May, eighteen hundred and fifty-four	2,000 00	
For permanent annuity for educational purposes, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty tenth May, eighteen hundred and fifty-four	2,000 00	
SIX NATIONS OF NEW YORK		
For permanent annuity in clothing and other useful articles, per sixth article treaty eleventh November, seventeen hundred and ninety-four	4,500 00	
UMPQUAS (COW CREEK BAND.)		
For thirteenth of twenty instalments in blankets, clothing, provisions, and stock, per third article treaty nineteenth September, eighteen hundred and fifty-three	550 00	
UMPQUAS AND CALAPOOIAS, OF UMPQUA VALLEY, OREGON.		
For second of five instalments, of the third series, of annuity for beneficial objects, to be expended as directed by the President, per third article treaty twenty-ninth November, eighteen hundred and fifty-four	1,700 00	
For twelfth of fifteen instalments for the pay of a physician and purchase of medicines, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four	2,000 00	
For twelfth of twenty instalments for the pay of a teacher and purchase of books and stationery, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four	1,450 00	
WINNEBAGOES.		
For interest on one million dollars, at five per centum, per fourth article treaty first November, eighteen hundred and thirty-seven	50,000 00	
Amount carried forward	1,118,616 94	141,157,420 61

Object of appropriation.	Amount.	Total.
Amount brought forward	$1,118,616 94	$141,157,420 61
For twentieth of thirty instalments of interest on eighty-five thousand dollars, at five per centum, per fourth article treaty thirteenth October, eighteen hundred and forty-six	4,250 00	
For the erection of a saw-mill, with grist-mill attached, on their new reservation, as per third article treaty of March eighth, eighteen hundred and sixty-five	10,000 00	
For expense of breaking and fencing one hundred acres of land for each band of said Indians, as per third article treaty of March eighth, eighteen hundred and sixty-five	9,087 60	
For expense of sowing and planting one hundred acres of land for each band of said Indians, and furnishing seed for the same, as per third article treaty of March eighth, eighteen hundred and sixty-five	5,750 00	
For the purchase of guns for said Indians, as per third article treaty of March eighth, eighteen hundred and sixty-five	2,000 00	
For the purchase of four hundred horses, one hundred cows, twenty yoke of oxen, twenty wagons, and forty chains, as per third article treaty of March eighth, eighteen hundred and sixty-five, and Senate amendment thereto of February thirteenth, eighteen hundred and sixty-six	60,300 00	
For the purchase of agricultural implements, as per third article treaty of March eighth, eighteen hundred and sixty-five	500 00	
For the erection of an agency building, school-house, warehouse, and suitable buildings for the physician, carpenter, interpreter, miller, engineer, and blacksmith, on the new reservation of said Indians, as per fourth article treaty of March eighth, eighteen hundred and sixty-five	21,000 00	
For erection of a house for each chief of the said tribes, as per fourth article treaty of March eighth, eighteen hundred and sixty-five	22,500 00	
For expenses of the removal of the property of said Indians to their new homes, as per fifth article treaty of March eighth, eighteen hundred and sixty-five	300 00	

For subsistence of the Winnebagoes for one year after their arrival at their new homes, as per fifth article treaty of March eighth, eighteen hundred and sixty-five.....	96 000 00	
WINNEBAGO AND POTTAWATOMIE INDIANS OF WISCONSIN.		
To enable the Secretary of the Interior to take charge of certain stray bands of Winnebago and Pottawatomie Indians in the State of Wisconsin.....	5,000 00	
YANCTON TRIBE OF SIOUX.		
For eighth of ten instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle and reside upon their reservation, per fourth article treaty nineteenth April, eighteen hundred and fifty-eight.....	65,000 00	
CALAPOOIAS, MOLALLA, AND CLACKAMAS INDIANS, OF WILLAMETTE VALLEY.		
For second of five instalments of the second series of annuity for beneficial objects, per second article treaty twenty-second January, eighteen hundred and fifty-five.....	6,500 00	
PONCAS.		
For the third of ten instalments of the second series, to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle upon the tract reserved for their future homes, per second article treaty twelfth March, eighteen hundred and fifty-eight.....	10,000 00	
For eighth of ten instalments for the establishment and maintenance of one or more manual labor schools, under the direction of the President, per second article treaty twelfth March, eighteen hundred and fifty-eight.....	5,000 00	
For eighth of ten instalments, or during the pleasure of the President, to be expended in furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of the mill provided for in the first part of this article,		
Amount carried forward.....	1,441,804 54	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$1,441,804 54	$141,157,420 61
as the Secretary of the Interior may consider advantageous and necessary for them, per second article treaty twelfth March, eighteen hundred and fifty-eight	7,500 00	
D'WAMISH AND OTHER ALLIED TRIBES IN WASHINGTON TERRITORY.		
For seventh instalment on one hundred and fifty thousand dollars, under the direction of the President, per sixth article treaty twenty-second January, eighteen hundred and fifty-five	7,500 00	
For seventh of twenty instalments for the establishment and support of an agricultural and industrial school, and to provide said school with a suitable instructor or instructors, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five	3,000 00	
For seventh of twenty instalments for the establishment and support of a smith and carpenter shop, and to furnish them with the necessary tools, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five	500 00	
For seventh of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five	4,600 00	
MAKAH TRIBE.		
For first of four instalments of thirty thousand dollars, (being the fourth series,) under the direction of the President, per fifth article treaty January thirty-first, eighteen hundred and fifty-five	1,500 00	
For seventh of twenty instalments for the support of an agricultural and industrial school, and for pay of teachers, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five	2,500 00	

For seventh of twenty instalments for support of a smith and carpenter's shop, and to provide the necessary tools therefor, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five	500 00	
For seventh of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five	4,600 00	
WALLA-WALLA, CAYUSE, AND UMATILLA TRIBES.		
For second of five instalments of second series, to be expended under the direction of the President, per second article treaty ninth June, eighteen hundred and fifty-five	6,000 00	
For seventh of twenty instalments for the purchase of all necessary mill fixtures and mechanical tools, medicines, and hospital stores, books, and stationery for schools, and furniture for the employés, per fourth article treaty ninth June, eighteen hundred and fifty-five	3,000 00	
For seventh of twenty instalments for the pay and subsistence of one superintendent of farming operations, one farmer, two millers, one blacksmith, one wagon and plough maker, one carpenter and joiner, one physician, and two teachers, per fourth article treaty ninth June, eighteen hundred and fifty-five	11,200 00	
For seventh of twenty instalments for the pay of each of the head chiefs of the Walla-Walla, Cayuse, and Umatilla bands, the sum of five hundred dollars per annum, per fifth article treaty ninth June, eighteen hundred and fifty-five	1,500 00	
For seventh of twenty instalments for salary for the son of Pio-pio-mox-mox, per fifth article treaty ninth June, eighteen hundred and fifty-five	100 00	
YAKAMA NATION.		
For second of five instalments, of second series, for beneficial objects, at the discretion of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five	8,000 00	
Amount carried forward	1,503,804 54	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$1,503,804 54	$141,157,420 61
For seventh of twenty instalments for the support of two schools, one of which is to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty ninth June, eighteen hundred and fifty-five	500 00	
For seventh of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article ninth June, eighteen hundred and fifty-five	3,200 00	
For seventh of twenty instalments for the employment of one superintendent of farming and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty ninth June, eighteen hundred and fifty-five	9,400 00	
For seventh of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures, per fifth article treaty ninth June, eighteen hundred and fifty-five	500 00	
For seventh of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and fixtures therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five	300 00	
For seventh of twenty instalments for the pay of a physician, per fifth article treaty ninth June, eighteen hundred and fifty-five	1,400 00	
For seventh of twenty instalments for keeping in repair the buildings required for the various employés, and for providing the necessary furniture therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five	300 00	
For seventh of twenty instalments for the salary of such person as the said confederated tribes and band of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five	500 00	
For second of five instalments of second series for beneficial objects, at discretion of the President, per fourth article treaty June eleventh, eighteen hundred and fifty-five	8,000 00	

For seventh of twenty instalments for the support of two schools, one of which to be an agricultural and industrial school, keeping in repair school building, and for providing suitable furniture, books, and stationery, per fifth article treaty eleventh June, eighteen hundred and fifty-five	500 00	
For seventh of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty eleventh June, eighteen hundred and fifty-five	3,200 00	
For seventh of twenty instalments for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five	500 00	
For seventh of twenty instalments for the employment of one superintendent of farming, and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty eleventh June, eighteen hundred and fifty-five	9,400 00	
For seventh of twenty instalments for keeping in repair saw and flouring mill, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five	500 00	
For seventh of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five	300 00	
For seventh of twenty instalments for pay of a physician, per fifth article treaty eleventh June, eighteen hundred and fifty-five	1,400 00	
For seventh of twenty instalments for keeping in repair the buildings for the various employés, and for providing the necessary furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five	300 00	
For seventh of twenty instalments for the salary of such person as the tribe may select to be their head chief, per fifth article treaty eleventh June, eighteen hundred and fifty-five	500 00	
For first of four instalments to enable the Indians to remove and locate upon the reservation, to be expended in ploughing land and fencing lots, as per first clause fourth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	70,000 00	
Amount carried forward	1,614,504 54	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total
Amount brought forward	$1,614,504 54	$141,157,420 61
For the purchase of agricultural implements, including wagons and carts, harness, cattle, and sheep, or other stock, as may be deemed most beneficial, as per second clause fourth article treaty of June ninth, eighteen hundred and sixty-three	50,000 00	
For the erection of a saw and flouring mill, to be located at Kamia, as per third clause fourth article treaty of June ninth, eighteen hundred and sixty-three	10,000 00	
For first of the sixteen instalments for boarding and clothing the children who shall attend the schools, providing the schools and boarding-houses with necessary furniture, the purchase of necessary wagons, teams, agricultural implements, tools, and so forth, and for fencing of such lands as may be needed for gardening and farming purposes for the schools, as per fourth clause fourth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirty, eighteen hundred and sixty-seven	6,000 00	
For building two churches, as per fifth clause fourth article treaty of June nine, eighteen hundred and sixty-three	2,500 00	
For salary of two subordinate chiefs, as per fourth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	1,000 00	
For the erection of buildings for the subordinate chiefs, and to plough and fence the land for said chiefs, as well as to procure the necessary furniture, and to complete and furnish the house, and so forth, of the head chief, as per fifth article treaty of June ninth, eighteen hundred and sixty-three	2,500 00	
For the erection of two school-houses, including boarding-houses and the necessary out-buildings, as per first clause fifth article treaty of June ninth, eighteen hundred and sixty-three	10,000 00	
For the erection of a hospital and providing the necessary furniture, as per second clause fifth article treaty of June nine, eighteen hundred and sixty-three	1,200 00	

For the erection of a blacksmith shop, to be located at Kamia, to aid in the completion of the smith's shop at the agency, and to purchase the necessary tools, iron, steel, and so forth, as per third clause fifth article treaty of June ninth, eighteen hundred and sixty-three	2,000 00	
For the erection of houses for employés, repairs of mills, shops, and so forth, and providing necessary furniture, tools, and materials, as per fourth clause fifth article treaty of June ninth, eighteen hundred and sixty-three	3,000 00	
For salary of two matrons to take charge of the boarding-schools, two assistant teachers, one farmer, one carpenter, and two millers, as per fifth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	7,600 00	
For the erection of a house for Indian chief Timothy, as per sixth article treaty of June ninth, eighteen hundred and sixty-three	600 00	
To pay the claims of certain members of the Nez Percé tribe for services rendered and for horses furnished by them to the Oregon mounted volunteers on the sixth of March, eighteen hundred and fifty-six, at Camp Cornelius, as per seventh article treaty of June ninth, eighteen hundred and sixty-three, (to be paid in gold)	4,665 00	
FLATHEADS AND OTHER CONFEDERATED TRIBES.		
For the third of five instalments on one hundred and twenty thousand dollars, being the second series, for beneficial objects, at the discretion of the President, per fourth article treaty sixteenth July, eighteen hundred and fifty-five	5,000 00	
For seventh of twenty instalments for the support of an agricultural and industrial school, keeping in repair the buildings, and providing suitable furniture, books, and stationery, per fifth article treaty sixteenth July, eighteen hundred and fifty-five	300 00	
For seventh of twenty instalments for providing suitable instructors therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five	1,800 00	
For seventh of twenty instalments for keeping in repair blacksmiths', tin and gunsmiths', carpenters', and wagon and plough makers' shops, and providing necessary tools therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five	500 00	
Amount carried forward	1,723,169 54	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$1,723,169 54	$141,157,420 61
For seventh of twenty instalments for the employment of two farmers, two millers, one blacksmith, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty sixteenth July, eighteen hundred and fifty-five	7,400 00	
For seventh of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five	500 00	
For seventh of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five	300 00	
For seventh of twenty instalments for pay of a physician, per fifth article treaty sixteenth July, eighteen hundred and fifty-five	1,400 00	
For seventh of twenty instalments for keeping in repair the buildings required for the various employés, and furnishing necessary furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five	300 00	
For seventh of twenty instalments for the pay of each of the head chiefs of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes, per fifth article treaty sixteenth July, eighteen hundred and fifty-five	1,500 00	
CONFEDERATED TRIBES AND BANDS OF INDIANS IN MIDDLE OREGON.		
For second of five instalments, second series, of six thousand dollars, for beneficial objects, at the discretion of the President, per second article treaty twenty-fifth June, eighteen hundred and fifty-five	6,000 00	
For seventh of fifteen instalments for pay and subsistence of one farmer, one blacksmith, and one wagon and plough maker, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five	3,500 00	

For seventh of twenty instalments for pay and subsistence of one physician, one sawyer, one miller, one superintendent of farming operations, and one school teacher, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five	5,600 00	
For seventh of twenty instalments for payment of salary to the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five	500 00	
MOLEL INDIANS.		
For seventh of ten instalments for keeping in repair saw and flouring mills, and for the pay of necessary employés, the benefits of which to be shared alike by all the confederated bands, per second article treaty twenty-first December, eighteen hundred and fifty five	1,500 00	
For seventh of ten instalments for the pay of a carpenter and joiner to aid in erecting buildings and making furniture for said Indians, and to furnish tools in said service, per second article treaty twenty-first December, eighteen hundred and fifty-five	2,000 00	
For pay of teachers to manual-labor school, for all necessary materials therefor, and for the subsistence of the pupils, per second article treaty twenty-first December, eighteen hundred and fifty-five	3,000 00	
QUI-NAI-ELT AND QUILEHUTE INDIANS.		
For the first of four instalments on twenty-five thousand dollars (being the fourth series) for beneficial objects, under the direction of the President, per fourth article treaty first July, eighteen hundred and fifty-five	1,000 00	
For seventh of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable instructors, per tenth article treaty first July, eighteen hundred and fifty-five	2,500 00	
For seventh of twenty instalments for support of smith and carpenter shop, and to provide the necessary tools therefor, per tenth article treaty first July, eighteen hundred and fifty-five	500 00	
Amount carried forward	1,760,669 54	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$1,760,669 54	$141,157,420 61
For seventh of twenty instalments for the employment of a blacksmith, carpenter, and farmer, and a physician who shall furnish medicine for the sick, per tenth article treaty first July, eighteen hundred and fifty-five	4,600 00	
S'KLALLAMS.		
For first of four instalments on sixty thousand dollars, (being the fourth series,) under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five	3,000 00	
For seventh of twenty instalments for the support of an agricultural and industrial school, and for pay for suitable teachers, per eleventh article treaty twenty-sixth January, eighteen hundred aad fifty-five	2,500 00	
For seventh of twenty instalments for the employment of a blacksmith, carpenter, farmer, and a physician who shall furnish medicines for the sick, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five	4,600 00	
OTTAWA INDIANS OF BLANCHARD'S FORK AND ROCHE DE BŒUF.		
For the last of four instalments, in money, per fourth article treaty twenty-fourth June, eighteen hundred and sixty-two	8,500 00	
For interest on eight thousand five hundred dollars, at five per centum, being the unpaid principal of thirty-four thousand dollars, per fourth article treaty June twenty-fourth, eighteen hundred and sixty-two	425 00	
For the last of four instalments of the principal sum held in stocks by the government, to be paid as annuity in eighteen hundred and sixty-seven, per fourth article treaty June twenty-fourth, eighteen hundred and sixty-two	2,849 87	

ARAPAHOES AND CHEYENNE INDIANS OF THE UPPER ARKANSAS RIVER.

For sixth of fifteen instalments of annuity of thirty thousand dollars, to be expended for their benefit—that is to say, fifteen thousand dollars per annum for each tribe, commencing with the year in which they shall remove to and settle upon their reservations —per fourth article treaty February eighteenth, eighteen hundred and sixty-one.....	30,000 00	
For fourth of five instalments to provide the said Indians with a mill suitable for sawing timber and grinding grain, one or more mechanic shops, with necessary tools for the same, and dwelling-houses for an interpreter, miller, engineer for mill, (if one be necessary,) farmers, and the mechanics that may be employed for their benefit, per fifth article treaty February eighteenth, eighteen hundred and sixty-one.....	5,000 00	
For transportation and necessary expenses of delivery of annuities, goods, and provisions, per fifth article treaty February eighteenth, eighteen hundred and sixty-one	5,000 00	
For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of Lake Superior, per seventh article treaty September thirtieth, eighteen hundred and fifty-four.....	5,762 63	
For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of the Mississippi, per fifth article treaty February twenty-second, eighteen hundred and fifty-five.....	3,886 75	

CHIPPEWAS OF RED LAKE, AND PEMBINA TRIBE OF CHIPPEWAS.

For annuity to be paid per capita to the Red Lake band of Chippewas, during the pleasure of the President, per third article treaty second October, eighteen hundred and sixty-three, and second article supplementary to treaty twelfth April, eighteen hundred and sixty-four	10,000 00	
For this amount to the Pembina band of Chippewas, during the pleasure of the President, per third article treaty October second, eighteen hundred and sixty-three, and second article supplementary treaty April twelve, eighteen hundred and sixty-four.....	5,000 00	
For the third of fifteen instalments to be expended annually for the purpose of supplying them with gilling twine, cotton matter, calico, linsey, blankets, sheeting, flannels, provi-		
Amount carried forward.....	1,851,793 79	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$1,851,793 79	$141,157,420 61
sions, farming tools, and for such other useful articles and for such other useful purposes as may be deemed for their best interests, per third article supplementary treaty of twelfth April, eighteen hundred and sixty-four	8,000 00	
For the third of fifteen instalments for same objects for the Pembina band of Chippewas, per third article supplementary treaty twelfth April, eighteen hundred and sixty-four	4,000 00	
For third of fifteen instalments for pay of one blacksmith, one physician, who shall furnish medicine for the sick, one miller, and one farmer, per fourth article supplementary treaty April twelfth, eighteen hundred and sixty-four	3,900 00	
For third of fifteen instalments for the purchase of iron and steel, and other articles for blacksmithing purposes, per fourth article supplementary treaty April twelfth, eighteen hundred and sixty-four	1,500 00	
For third of fifteen instalments, to be expended for carpentering and other purposes, per fourth article supplementary treaty April twelfth, eighteen hundred and sixty-four	1,000 00	
For third of fifteen instalments, to defray the expenses of a board of visitors, to consist of not more than three persons, to attend upon the annuity payments of the said Chippewa Indians, whose salary shall not exceed five dollars per day, nor more than twenty days, and ten cents per mile for travelling expenses, and not to exceed three hundred miles, per sixth article treaty October second, eighteen hundred and sixty-three	390 00	
For insurance and transportation of annuity goods and provisions, and material for building mill, including machinery, iron and steel for blacksmiths, for the Chippewas of Red Lake and Pembina tribe	10,000 00	
WESTERN BANDS OF SHOSHONES.		
For third of twenty instalments, to be expended, under the direction of the President, in		

the purchase of such articles as he may deem suitable to their wants, either as hunters or herdsmen, per seventh article treaty October first, eighteen hundred and sixty-three.	5,000 00	
EASTERN BANDS OF SHOSHONES.		
For third of twenty instalments, to be expended under the direction of the President, in the purchase of such articles as he may deem suitable to their wants, either as hunters or herdsmen, per fifth article treaty July second, eighteen hundred and sixty-three.....	10,000 00	
NORTHWESTERN BANDS OF SHOSHONES.		
For third of twenty instalments, to be expended, under the direction of the President, in the purchase of such articles as he may deem suitable to their wants, either as hunters or herdsmen, per third article treaty July thirtieth, eighteen hundred and sixty-three...	5,000 00	
GOSHIP BANDS OF SHOSHONES.		
For third of twenty instalments, to be expended, under the direction of the President, in the purchase of such articles, including cattle for herding, or other purposes, as he shall deem suitable for their wants and condition, either as huntsmen or herdsmen, per seventh article treaty October second, eighteen hundred and sixty-three.....	1,000 00	
CREEK NATION.		
For interest on two hundred thousand dollars, at five per centum per annum, as permanent annuity to be paid them in money, or for such mechanical labor or useful articles as the Secretary of the Interior may from time to time direct, per third article treaty September third, eighteen hundred and sixty-three, as amended by Senate.....	10,000 00	
For payment of third of five instalments, to be expended for their benefit in the purchase of stock, horses, sheep, clothing, and such other articles as the Secretary of the Interior, with the council of said nation, may direct, per fourth article treaty September third, eighteen hundred and sixty-three, as amended by Senate.....	40,000 00	
Amount carried forward.....	1,951,583 79	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$1,951,583 79	$141,157,420 61
TABEQUACHE BAND OF UTAH INDIANS.		
For the third of ten instalments for the purchase of goods, under the direction of the Secretary of the Interior, per eighth article treaty of October seventh, eighteen hundred and sixty-three, and Senate amendment of March twenty-fifth, eighteen hundred and sixty-four	10,000 00	
For the third of five instalments, to be applied for the purposes of agriculture, and for the purchase of farming utensils and stock animals, per tenth article treaty October second, eighteen hundred and sixty-three, and Senate amendment thereto	10,000 00	
For the third of ten instalments for the purchase of provisions, under the direction of the Secretary of the Interior, per eighth article treaty October seventh, eighteen hundred and sixty-three, and Senate amendment thereto	10,000 00	
For insurance, transportation, and general incidental expenses of the delivery of goods, provisions, and stock	5,000 00	
CHIPPEWAS OF THE MISSISSIPPI, PILLAGERS AND LAKE WINNEBAGOSHISH BANDS OF CHIPPEWA INDIANS IN MINNESOTA.		
For third of ten instalments to furnish said Indians with ten yoke of good work-oxen, twenty log-chains, two hundred grubbing hoes, ten ploughs, ten grindstones, one hundred axes, (handled,) twenty spades, and other farming implements, per fifth article treaty May seventh, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	1,500 00	
For the employment of two carpenters, one thousand eight hundred dollars, and two blacksmiths, one thousand eight hundred dollars; four farm laborers, two thousand four hundred dollars; one physician, one thousand two hundred dollars, and medicine for the		

sick, five hundred dollars, per fifth article treaty May seventh, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	7,700 00	
For this amount to be applied towards the support of a saw-mill to be built for the common use of the Chippewas of Mississippi and the Red Lake and Pembina bands of Chippewas, so long as the President may deem it necessary, per sixth article treaty May seventh, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	1,000 00	
For pay of services and travelling expenses of a board of visitors, to consist of not more than five persons, to attend the annuity payments to the Indians, and so forth, and to inspect the fields, buildings, mills, and other improvements, as stipulated in the seventh article treaty May seventh, eighteen hundred and sixty-four, not exceeding any one year more than twenty days' service, at five dollars per pay, or more than three hundred miles' travel, at ten cents per mile, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	650 00	
For the payment of female teachers employed on the reservations to instruct Indian girls in domestic economy, per thirteenth article treaty May seventh, eighteen hundred and sixty-four	1,000 00	
MINNECONJOU BAND OF DAKOTA OR SIOUX.		
For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October tenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	10,000 00	
LOWER BRULÉ BAND OF DAKOTA OR SIOUX.		
For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October fourteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	6,000 00	
Amount carried forward	2,014,433 79	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward.....	$2,014,433 79	$141,157,420 61
BLACKFEET BAND OF DAKOTA OR SIOUX.		
For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October nineteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven..	7,000 00	
TWO KETTLES' BAND OF DAKOTA OR SIOUX.		
For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October nineteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven..	6,000 00	
For this sum, to be paid the widow and children of Ish-tah-chan-ne-ah, under the direction of the Secretary of the Interior, as per sixth article of treaty of October nineteenth, eighteen hundred and sixty-five.....	500 00	
For this sum, being for indemnity, to be paid under the direction of the Secretary of the Interior, as per sixth article of the treaty of October nineteenth, eighteen hundred and sixty-five.....	500 00	
ONK-PAH-PAH BAND OF DAKOTA OR SIOUX.		
For first of twenty instalments, being thirty dollars for each lodge or family, (three hundred lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven.....	9,000 00	

SANS ARCS BAND OF DAKOTA OR SIOUX.

For first of twenty instalments, being thirty dollars to each lodge or family, (two hundred and eighty lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven 8,400 00

YANCTONAIS BAND OF DAKOTA OR SIOUX.

For first of twenty instalments, being thirty dollars for each lodge of [or] family, (three hundred and fifty lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven 10,500 00

UPPER YANCTONAIS BAND OF DAKOTA OR SIOUX.

For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twenty-eighth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven..... ..... 10,000 00

OGALALLA BAND OF DAKOTA OR SIOUX INDIANS.

For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twenty-eighth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven 10,000 00

Amount carried forward..... 2,076,333 79 141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$2,076,333 79	$141,157,420 61
DAKOTA OR SIOUX.		
For expense of transporting and delivering articles furnished for Indians on the upper Missouri river, parties to treaties made at Fort Sully in October, eighteen hundred and sixty-five	20,000 00	
BOIS FORT BAND OF CHIPPEWA.		
To enable the President of the United States to set apart a reservation for the Bois Fort band of Chippewa Indians, as provided in article third, treaty of April seventh, eighteen hundred and sixty-six	1,000 00	
For the erection of one blacksmith shop, as per third article treaty of April seventh, eighteen hundred and sixty-six	500 00	
For the erection of a school-house, as per third article treaty of April seventh, eighteen hundred and sixty-six	500 00	
For the erection of eight houses for chiefs, as per third article treaty of April seventh, eighteen hundred and sixty-six	3,200 00	
For the erection of an agency building and storehouse, as per third article treaty of April seventh, eighteen hundred and sixty-six	2,000 00	
For first of twenty instalments, for the support of one blacksmith and assistant, and for tools, iron, and steel, and other articles necessary for the blacksmith shop, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirty, eighteen hundred and sixty-seven	1,500 00	
For first of twenty instalments, for the support of one school teacher, and for necessary books and stationery, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirty, eighteen hundred and sixty-seven	800 00	

For first of twenty instalments for the instruction of the Indians in farming, and purchase of seeds, tools, and so forth, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	800 00	
For first of twenty instalments of annuity in money, to be paid per capita, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	3,500 00	
For first of twenty instalments of annuity in provisions, ammunition, and tobacco, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	1,000 00	
For first of twenty instalments of annuity in goods and other articles, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	6,500 00	
To enable the chiefs, headmen, and warriors to establish their people upon the new reservation, and to purchase useful articles and presents, as per fourth article treaty of April seventh, eighteen hundred and sixty-six, and Senate amendment thereto	30,000 00	
To pay necessary transportation and subsistence of the delegates who visited Washington for the purpose of negotiating treaty, as per eighth article treaty of April seventh, eighteen hundred and sixty-six	10,000 00	
For transportation and necessary cost of delivery of annuity goods and provisions to the Bois Fort band of Chippewa Indians, as per sixth article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	1,500 00	
TABEQUACHE BAND OF UTAH INDIANS.		
For building a blacksmith shop for the Tabequache band of Utah Indians, as per tenth article treaty of October seventh, eighteen hundred and sixty-three	500 00	
For the purchase of iron and steel and necessary tools for said shop, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-five	220 00	
Amount carried forward	2,159,853 79	141,157,420 61

Appropriations, &c.— Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$2,159,853 79	$141,157,420 61
For the purchase of iron, steel, and necessary tools for said shop, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six	220 00	
For the purchase of iron, steel, and necessary tools for said shop, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	220 00	
For pay of blacksmith and assistant for the Tabequache band of Utah Indians, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-five	1,100 00	
For pay of blacksmith and assistant for the Tabequache band of Utah Indians, as per tenth article of treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six	1,100 00	
For pay of blacksmith and assistant for the Tabequache band of Utah Indians, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	1,100 00	
ARAPAHO AND CHEYENNE INDIANS OF THE UPPER ARKANSAS RIVER.		
For reimbursing members of the bands of Arapaho and Cheyenne Indians who suffered at Sand creek, November twenty-ninth, eighteen hundred and sixty-four, to be paid in United States securities, animals, goods, provisions, or such other useful articles as the Secretary of the Interior may direct, as per sixth article treaty of October fourteenth, eighteen hundred and sixty-five	39,050 00	
For first of forty instalments, to be expended in such manner and for such purposes as the Secretary of the Interior may direct, being an amount equal to twenty dollars per capita for two thousand eight hundred persons, the number agreed upon for the present year,		

as per seventh article treaty of October fourteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	56,000 00	
For transportation of goods, provisions, and so forth, purchased for the Arapaho and Cheyenne Indians of the Upper Arkansas river, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	20,000 00	
COMANCHES AND KIOWAYS.		
For first of forty instalments, to be expended under the direction of the Secretary of the Interior, being an amount equal to ten dollars per capita for four thousand persons, the number agreed upon for the present year, as per fifth article treaty of October eighteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	40,000 00	
For transportation of goods, provisions, and so forth, purchased for the Comanche and Kioway Indians, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary	8,000 00	
For first of forty instalments, to be expended under the direction of the Secretary of the Interior, for the Apache Indians, being an amount equal to twenty dollars per capita for eight hundred persons, as per second article treaty of October seventeenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	16,000 00	
For transportation of goods, provisions, and so forth, purchased for the Apache Indians, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary	3,500 00	
OMAHA TRIBE OF INDIANS.		
For this sum, to be expended by their agent, under the direction of the Commissioner of Indian Affairs, for goods, provisions, cattle, horses, construction of buildings, farming implements, breaking of lands, and other improvements on their reservation, as per second article of treaty of March sixth, eighteen hundred and sixty-five	50,000 00	
Amount carried forward	2,396,143 79	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$2,396,143 79	$141,157,420 61
For this sum, to be paid as damages, in consequence of the occupancy of a portion of the Omaha reservation and use and destruction of timber by the Winnebago tribe of Indians, as per third article of treaty of March sixth, eighteen hundred and sixty-five	7,000 00	
For keeping in repair a grist and saw mill, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-seven	300 00	
For pay of one engineer and assistant, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	1,800 00	
For pay of one miller and assistant, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	1,200 00	
For pay of farmer, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	900 00	
For pay of blacksmith and assistants, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	1,200 00	
For support of blacksmith shop and supplying tools for the same, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	300 00	

YAKIMA NATION.

For second instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article of treaty June ninth, eighteen hundred and fifty-five	500 00	
For third instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article of treaty June ninth, eighteen hundred and fifty-five	500 00	
For fourth instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article of treaty June ninth, eighteen hundred and fifty five	500 00	
For fifth instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five	500 00	
For sixth instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five	500 00	
For seventh instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five	500 00	

KLAMATH AND MODOC INDIANS.

For first of five annual instalments, to be applied under direction of the President, as per second article treaty of October fourteenth, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	8,000 00	
For this amount to pay for such articles as may be advanced the Indians at the time of signing the treaty, and to subsist them during the first year after their removal to the reservation, the purchase of teams, farming implements, seeds, tools, clothing, and provisions, and salary of the necessary employés, as per third article treaty of October fourteenth, eighteen hundred and sixty-four	35,000 00	
Amount carried forward	2,454,843 79	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$2,454,843 79	$141,157,420 61
For the erection of one saw-mill, one flouring-mill, buildings for the blacksmith, carpenter, and wagon and plough maker, the necessary buildings for one manual-labor school, and for hospital buildings, as per fourth article treaty of October fourteenth, eighteen hundred and sixty-four	11,300 00	
For the purchase of tools and material for saw and flour mills, carpenter, blacksmith, wagon and plough maker's shops, and books and stationery for the manual-labor school, as per fourth article treaty of October fourteenth, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	1,500 00	
For first of fifteen instalments to pay salary and subsistence of one superintendent of farming, one farmer, one blacksmith, one sawyer, one carpenter, and one wagon and plough maker, as per fifth article treaty of October fourteenth, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	6,000 00	
For first of twenty instalments to pay salary and subsistence of one physician, one miller, and two school teachers, as per fifth article treaty of October fourteenth, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	3,600 00	
For the erection of agency buildings	4,000 00	
MISCELLANEOUS.		
For insurance and transportation of annuity goods and provisions to the Flathead Indians for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, per fifth article treaty July sixteenth, eighteen hundred and fifty-five	11,920 41	

INDIAN SERVICE IN NEW MEXICO.

For general incidental expenses of the Indian service in New Mexico, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior 50,000 00

INDIAN SERVICE IN THE DISTRICT OF COUNTRY LEASED FROM THE CHOCTAWS FOR THE INDIANS LATELY RESIDING IN TEXAS.

For the expenses of colonizing, supporting, and furnishing agricultural implements and stock, pay of necessary employés, purchasing clothing, medicine, iron and steel, maintenance of schools for Indians lately residing in Texas, to be expended under direction of the Secretary of the Interior 22,825 00

FOR THE WICHITAS AND OTHER AFFILIATED BANDS.

For the expenses of colonizing, supporting, and furnishing said bands with agricultural implements and stock, pay of necessary employés, purchase of clothing, medicine, iron and steel, and maintenance of schools, to be expended under the direction of the Secretary of the Interior 37,800 00

MISCELLANEOUS.

For the general incidental expenses of the Indian service in California, including travelling expenses of the superintending agents 7,500 00

For the purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians in California 55,000 00

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Indian tribes in Minnesota and Michigan 20,350 62

For insurance, transportation, and necessary expenses of the delivery of Pawnee, Ponca, and Yancton Sioux annuity goods and provisions 10,000 00

For expenses attending the vaccination of Indians 2,500 00

Amount carried forward 2,699,139 82 141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward.....	$2,699,139 82	$141,157,420 61
For the general incidental expenses of the Indian service in Oregon and Washington Territory, including insurance and transportation of annuity goods and presents, (where no special provision therefor is made by treaties,) and office and travelling expenses of the superintendent and sub-agents	35,500 00	
For defraying the expenses of the removal and subsistence of Indians in Oregon and Washington Territory, (not parties to any treaty,) and for pay of necessary employés..	50,000 00	
INDIAN SERVICE IN NEVADA.		
For the general incidental expenses of the Indian service in Nevada, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior.....	25,000 00	
INDIAN SERVICE IN UTAH TERRITORY.		
For the general incidental expenses of the Indian service in Utah Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior.....	25,000 00	
INDIAN SERVICE IN COLORADO TERRITORY.		
For the general incidental expenses of the Indian service in Colorado Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior.	25,000 00	

For payment of interest on fifteen thousand dollars, abstracted bonds, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, for the Cherokee school fund	900 00	
For payment of interest on sixty-eight thousand dollars, abstracted bonds, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, of the Cherokee national fund	4,080 00	
NAVAJO INDIANS IN NEW MEXICO.		
For subsistence for the Navajo Indians, and for the purchase of sheep and of agricultural implements, seeds, and other articles necessary for breaking the ground on the reservation upon the Pecos river	100,000 00	
For payment of interest on one million six hundred and ninety thousand three hundred dollars, non-paying stock held by the Secretary of the Interior in trust for the various Indian tribes, up to and including the interest payable July first, eighteen and sixty-six	100,153 00	
For subsistence, clothing, and general incidental expenses of the Sisseton, Wahpaton, Medawakanton, and Wahpakoota bands of Sioux or Dakota Indians, at their new homes	100,000 00	
INDIAN SERVICE IN IDAHO TERRITORY.		
For the general incidental expenses of the Indian service in Idaho Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior	20,000 00	
INDIAN SERVICE IN THE TERRITORY OF ARIZONA.		
For the general incidental expenses of the Indian service in the Territory of Arizona, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior	20,000 00	
Amount carried forward	3,204,772 82	141,157,420 61

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward.....	$3,204,772 82	$141,157,420 61
INDIAN SERVICE IN MONTANA TERRITORY.		
For the general incidental expenses of the Indian service in Montana Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior.....	20,000 00	
CALIFORNIA.		
For pay of one physician, one blacksmith, one assistant blacksmith, one farmer, one carpenter, upon each of the four reservations in California, at the rate of fifty dollars per month	12,000 00	
INDIAN SERVICE IN DAKOTA TERRITORY.		
For the general incidental expenses of the Indian service in Dakota Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior.....	20,000 00	
For the transportation and necessary expenses of delivery of provisions to the Indians within the Utah superintendency for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven.....	22,500 00	
For salary of a special agent to take charge of Winnebago and Pottawatomie Indians now in the State of Wisconsin.....	1,500 00	

For the payment of supplies already furnished to the destitute Indians of the southern superintendency, for removing them to their homes, and for relieving such destitute persons among said Indians as are in actual want and suffering	500,000 00	
		3,780,772 82
By the act authorizing the reimbursement to the Territory of Nebraska of certain expenses incurred in repelling Indian hostilities.		
For reimbursing the Territory of Nebraska of certain expenses incurred in repelling Indian hostilities		45,000 00
By the act for the relief of the trustees and stewards of the Mission church of the Wyandotte Indians.		
For refunding to Jacob White-Crow, John Sawahass, and others, trustees and stewards of the Wyandott and Quindaro mission of the Kansas conference of the Methodist Episcopal church, for the destruction of their church buildings and library		4,680 00
By the act to reduce internal taxation and to amend an act entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," approved June thirtieth, eighteen hundred and sixty-five, and acts amendatory thereof.		
For payment of the additional salaries of officers, clerks, and employés authorized under this act		Indefinite.
An act making appropriations for sundry civil expenses of the government for the year ending June thirtieth, eighteen hundred and sixty-seven, and for other purposes.		
MISCELLANEOUS.		
For discharge of such miscellaneous claims not otherwise provided for as shall be admitted in due course of settlement at the Treasury	2,000 00	
Amount carried forward	2,000 00	144,987,873 43

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$82,000 00	$144,987,873 43
For expenses in detecting and bringing to trial and punishment persons engaged in counterfeiting treasury notes, bonds, and other securities of the United States, as well as the coins of the United States	150,000 00	
For supplying deficiency in the fund for the relief of sick and disabled seamen	200,000 00	
For repairs and preservation of public buildings	50,000 00	
For furniture, repairs of furniture, carpets, and miscellaneous items for the same	20,000 00	
For completion of north wing of Treasury extension, and grading and fencing grounds	300,000 00	
For replacing with slate or copper defective galvanized iron roofs	30,000 00	
For reconstruction of heating apparatus	30,000 00	
For burglar-proof safes and vaults	30,000 00	
For office furniture, and repairs of furniture, and miscellaneous expenses of the Treasury bureaus	16,000 00	
For expenses of detecting and bringing to trial and punishment persons engaged in perpetrating frauds upon the United States, to be disbursed under the direction of the Secretary of the Treasury	10,000 00	
For the completion of the custom-house building at Toledo, Ohio, its addition and the approaches thereto	10,000 00	
For the purpose of preserving from further dilapidation the new custom-house building in Charleston, South Carolina	10,000 00	
For repairs of the United States arsenal at Hudson City, New Jersey	2,000 00	
For additional appropriation to complete the new court-house and post office at Springfield, Illinois	50,000 00	
For repairs of Chelsea marine hospital, Chelsea, Massachusetts	40,000 00	
To establish national cemeteries, and to purchase sites for the same, at such points as the President of the United States may deem proper, and for the care of the same	50,000 00	
For the purpose of preparing for publication under the direction of the Secretary of War,		

and of printing at the Government printing office, five thousand copies of the first volume of the medical and surgical history of the rebellion, compiled by the Surgeon General; and for the purpose of preparing for publication under the direction of the Secretary of War, and of printing at the Government printing office, five thousand copies of the Medical Statistics of the Provost Marshal General's bureau, compiled and to be completed by Surgeon J. H. Baxter	60,000 00	
For transportation of officers of the marine corps, their servants, troops, and expenses of recruiting	15,000 00	
For the enlargement and repairs of the custom-house and post office buildings at Bangor, Me.	35,000 00	
For the repairs of the custom-house and post office, and the walks and fences adjoining the same, at Middletown, Connecticut	5,000 00	
For the erection of a chapel on the Naval Academy grounds at Annapolis, Maryland	25,000 00	
SURVEY OF THE COAST.		
For the survey of the Atlantic and Gulf coasts of the United States, including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy and petty officers and men of the navy employed in the work	250,000 00	
For continuing the survey of the western coast of the United States, including compensation of civilians engaged in the work	130,000 00	
For continuing the survey of the South Florida reefs, shoals, keys, and coast, including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy and petty officers and men of the navy employed in the work.	25,000 00	
For publishing the observations made in the progress of the survey of the coast of the United States, including compensation of civilians employed in the work	5,000 00	
For repairs of steamers and sailing schooners used in the coast survey	20,000 00	
For pay and rations of engineers for four steamers used in the hydrography of the coast survey, no longer supplied by the Navy Department	10,000 00	
To provide for the survey of the Isthmus of Darien, under the direction of the War Department, with the view to the construction of a ship canal in accordance with the report of the Superintendent of the Naval Observatory to the Navy Department	40,000 00	
Amount carried forward	1,620,000 00	144,987,873 43

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$1,620,000 00	$144,987,873 43
To enable the Secretary of the Treasury to collect reliable statistical information concerning the gold and silver mines of the western States and Territories, which shall include the labor and capital employed, the product, and the modes of working the same	10,000 00	
LIGHT-HOUSE ESTABLISHMENT.		
For the Atlantic, Gulf, and lake coasts, viz:		
For supplying the light-houses and beacon-lights with oil, wicks, glass chimneys, and other necessary expenses of the same, and repairing and keeping in repair the lighting apparatus	200,287 00	
For repairs and incidental expenses of improving and refitting the same	180,000 00	
For salaries of five hundred and eighty-nine keepers of light-houses and lighted beacons, and their assistants	213,193 33	
For salaries of forty-three keepers of light-vessels	23,900 00	
For seamen's wages, repairs, supplies, and incidental expenses of forty-three light-vessels	242,239 50	
For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of beacons and buoys, and for chains and sinkers for the same	162,350 00	
For compensation to the consul at Quebec, in Canada	1,500 00	
FOR THE COASTS OF CALIFORNIA, OREGON, AND WASHINGTON.		
For supplying twenty light-houses and beacon-lights with oil, glass chimneys, chamois skins, polishing powder, and other cleaning materials, transportation, expenses of keeping lamps and machinery in repair, and publishing notices to mariners of changes of aids to navigation	33,030 00	

For repairs and incidental expenses of twenty light-houses and buildings connected therewith	15,000 00	
For salaries of forty-one keepers and assistant keepers of light-houses, at an average not exceeding eight hundred dollars per annum	32,250 00	
For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of floating buoys and beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys	10,000 00	
For fuel and quarters of officers of the army serving on light-house duty, the same not being provided for by the quartermaster's department	5,000 00	
For rebuilding Block Island light-house, near Rhode Island, upon a more eligible site	15,000 00	
For a new light-house on Race Rock, or on the southwest end of Fisher's island, entrance to Long Island sound, as may be approved by the Light-house Board	90,000 00	
For rebuilding the following beacons, which have been destroyed, viz: Norwalk beacon, Southport Beacon, and Elbow beacon	24,000 00	
For rebuilding beacon-lights on the breakwater at Plattsburg, New York	3,000 00	
For a new light-house with suitable piers for protection at Rondout, New York	22,000 00	
For a new light-house with suitable piers for protection at Coxsackie, New York	22,000 00	
For repairs and renovations at Sandy Hook light-station, New York	7,100 00	
To provide additional station-houses, life-boats, and other appliances for the better preservation of life and property from shipwreck along the coast of New Jersey, between Sandy Hook and Little Egg harbor	10,000 00	
For repairing and relighting the light-house on Tucker's Beach, on the coast of New Jersey	5,000 00	
For repairs and renovations at Esopus, Four-mile Point, Beaver-tail, Passaic, Black Rock, and Great West Bay light-stations	5,100 00	
For additional appropriations for building a new first-class light at Assateague, Virginia	25,000 00	
For a new light-house at Bay Point, Port Royal entrance, South Carolina	50,000 00	
For building range-lights at St. Clair Flats, Lake St. Clair	60,000 00	
For the erection of a light-house at Beaver Bay on Lake Superior	15,000 00	
For building a new light-house at McGulpin's Point, near old Fort Mackinac	20,000 00	
For a beacon-light on the end of the pier at Chicago	3,000 00	
Amount carried forward	3,124,949 83	144,987,873 43

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$3,124,949 83	$144,987,873 43
For a new light-house at Eagle Bluff, Wisconsin	12,000 00	
For repairs at Grand Island light-house, Lake Superior	17,000 00	
For beacon-light at the entrance to Grand Island harbor, Lake Superior	10,000 00	
For additional aids to navigation in Green bay, Wisconsin, including a third-class light-house on Mah-no-mah or Chambers' island, and beacon on Peshtego shoal	25,000 00	
For repairs to light-house at Huron island, Lake Superior	17,000 00	
For light-house and pier light at South Haven, in the State of Michigan	6,000 00	
For range-lights at Portage entry, Lake Superior	6,000 00	
For a light-house to mark the channel between Keweenaw Point and Manitou island, Lake Superior	15,000 00	
For new and efficient fog-signals at Mount Desert island, Mantinicus, Seguin, Mankiegin, Moose Peak, Cape Elizabeth, Point Judith, Cooper Harbor, Detour, Fort Gratiot, Huron island, Manitou, McGulpin's Point, Pottawatomie, Sand Point, Waugoshance, White Fish Point, and other light-stations	59,500 00	
For compensation of two superintendents for the life-saving stations on the coasts of Long Island and New Jersey	3,000 00	
For compensation of fifty-four keepers of stations, at two hundred dollars each	10,800 00	
For a new light-house at Grand Point Aux Sables, Lake Michigan	35,000 00	
For a new light-house at the harbor of White river, Muskegon county, Michigan	10,000 00	
For a new light-house at the harbor of Manistee, Manistee county, Michigan	10,000 00	
For completion of pier of protection and repairing Waugoshance light-house at Straits of Mackinac	90,000 00	
For the establishment of beacon-lights to mark Brewerton channel, Patapsco river, Maryland	30,000 00	
To enable the Light-house Board to re-establish lights and other aids to navigation on the southern coast	200,000 00	

To reimburse the appropriation for furnishing the President's House the sum transferred from it by the accounting officers of the treasury, to settle another account of the Commissioner of Public Buildings for annual repairs, four thousand dollars; and the avails of old furniture which may be sold shall be applied to the purchase of new furniture	1,000 00	
To enable the Commissioner of Public Buildings to put in thorough repair the bridge across the Potomac at Little Falls, in accordance with the estimate of the engineer	2,410 00	
To enable the Secretary of the Interior to pay the interest on sundry sums loaned for government purposes by the First National Bank at Washington, District of Columbia, the sum of	5,670 12	
For compensation to the Commissioner and chief clerk of the General Land Office (to be apportioned by the Secretary of the Interior) in consideration of the increased duties devolving on them from June seventh, eighteen hundred and sixty-five, to December thirty-first, eighteen hundred and sixty-five, in connection with the census of eighteen hundred and sixty	1,750 00	
For painting iron fences	2,500 00	
For repairing gates to the iron fence enclosing Lafayette square	500 00	
To repair and whitewash the wooden fences around the several reservations	1,000 00	
For repairing the arch on New Jersey avenue below the Coast Survey building	1,000 00	
To repair or replace the water-pipes which convey the water from the spring in Franklin square to the President's House, and to the Treasury, War, and Navy Departments	6,000 00	
For making the road from the President's stable to the house	1,500 00	
For four new pave-washers on Pennsylvania avenue	1,000 00	
To pay for drainage by pipes of the waste-water from the President's House, the cow-stable, cow-yard, and small green-house	1,250 00	
For an iron fence around the Botanic Garden	15,000 00	
To cause to be painted in the square panels of glass, in the ceiling of the House of Representatives, the escutcheons of the States of West Virginia and Nevada, the sum of	130 00	
For compensation of one additional laborer hereby authorized to be appointed in the library of Congress, commencing July first, eighteen hundred and sixty-six	720 00	
For purchase of coal and pay of fireman to warm the library of Congress	2,280 00	
Amount carried forward	3,727,959 95	144,987,873 43

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$3,727,959 95	$144,987,873 43
For care, support, and medical treatment of sixty transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, under a contract to be formed with such institution by the Commissioner of Public Buildings, twelve thousand dollars, or so much thereof as may be necessary	12,000 00	
For hire of carts on the public grounds	2,600 00	
For purchase and repair of tools used in the public grounds	400 00	
For purchase of trees and tree-boxes, to replace, when necessary, such as have been planted by the United States, to whitewash tree-boxes and fences, and to repair pavements in front of the public grounds	3,000 00	
For annual repairs of the Capitol water-closets, and to put the proper number of water-closets in the upper stories, public stables, water-pipes, pavements, and other walks within the Capitol square, broken glass and locks, and for the protection of the building, and keeping the main approaches to it unencumbered, in addition to the sale of old material	12,000 00	
For grading and repairing Virginia avenue	10,000 00	
For keeping the spring and water-pipes which supply all the drinking water to the Capitol in repair, and erecting a substantial wooden fence around the ground on which the spring at Smith's farm is	1,000 00	
For the Capitol extension	200,000 00	
For fuel, in part, for the President's House	5,000 00	
For lighting the Capitol and President's House and public grounds around them, around the executive offices, and Pennsylvania avenue	60,000 00	
For lighting Four-and-a-half street across the Mall, and Maryland avenue west, and Sixth street south	15,000 00	
For pay of lamp-lighters, gas-fitting, plumbing, lamp-posts, lanterns, glass, paints, matches, materials, and repairs of all sorts	20,000 00	
For casual repairs of the Potomac, navy yard, and upper bridges	6,000 00	

For repairs of Pennsylvania avenue	5,000 00	
For public reservation number two and Lafayette square, in addition to the sale of hay which may be raised on the former	3,000 00	
For purchase of fuel for the centre building of the Capitol	1,500 00	
For erecting a new draw in the navy yard bridge	5,000 00	
For taking care of the grounds south of the President's House, continuing the improvement of the same, and repairing fences	3,000 00	
For repairs of water-pipes	500 00	
For cleaning and repairing sewer traps on Pennsylvania avenue	300 00	
For casual repairs of all the furnaces under the Capitol	500 00	
For under-draining the President's garden and Capitol grounds	1,000 00	
To enable the Commissioner of Public Buildings to so grade a portion of North Capitol street as to relay the water-pipes leading from the government spring to the Capitol sufficiently below the grade as to secure from frost and to relay said pipes	8,140 00	
For hauling manure for top-dressing the public grounds	500 00	
For the protection and improvement of Franklin square	1,500 00	
For watchman for Franklin square	600 00	
For the compensation of eight extra clerks in the office of Indian affairs, under the acts of August fifth, eighteen hundred and fifty-four, March third, eighteen hundred and fifty-five, and March third, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-seven	11,200 00	
For the continuation of the work upon the north portico of the Patent Office building	50,000 00	
For additional contingent expenses of the northeast executive building, or the building occupied by the Secretary of State, including extra watchmen and laborers	6,000 00	
For salaries of commissioners under "An act to provide for the revision and consolidation of the statute laws of the United States," approved June twenty-seven, eighteen hundred and sixty-six, and for clerical services, and other incidental expenses, the printing to be done by the Government Printing Office	25,000 00	
For the payment of temporary clerks of the first class in the office of the Commissioner of Pensions, under the direction of the Secretary of the Interior, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	25,000 00	
Amount carried forward	4,222,099 95	144,987,873 43

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$4,222,099 95	$144,987,873 43
To enable the Secretary of the Interior, at his discretion, to rent such rooms in the vicinity of the department for the use of the Pension Office as may be deemed necessary for the transaction of the business of that office	3,000 00	
For the purchase of a site and the erection of a building at Saint Paul, Minnesota, for a custom-house, post office, the accommodation of the federal courts, and other necessary government purposes, the same to be expended under the direction of the Secretary of the Treasury	50,000 00	
JAIL IN THE DISTRICT OF COLUMBIA.		
For the support and maintenance of the convicts transferred from the District of Columbia at such place or places as may be selected by the Secretary of the Interior	50,000 00	
For salary of warden of the jail in the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	2,000 00	
For the payment in part for the purchase of sites and the erection of school-houses in the county of Washington, in the District of Columbia, payable to the board of commissioners of primary schools of said county, the sum of	10,000 00	
For the support of the Columbia Hospital for women and lying-in association	10,000 00	
To enable the Secretary of the Treasury to pay the persons employed by the committees on the District of Columbia of the two houses of Congress, under the provisions of the joint resolution approved June eighteen, eighteen hundred and sixty-four, entitled "A resolution to provide for the revision of the laws of the District of Columbia," the compensation provided in said resolution	2,000 00	
SMITHONIAN INSTITUTION.		

For the preservation of the collections of the exploring and surveying expeditions of the government	4,000 00	
WASHINGTON AQUEDUCT.		
To complete the dam in the Potomac river at the head of the aqueduct, from the shore to Conn's island, with cut stone	51,687 00	
To complete the connecting conduit around and outside the receiving reservoir	70,897 00	
To finish gate-house at Great Falls	4,000 00	
For temporary dam at Conn's island	1,000 00	
For management, miscellaneous, and contingents	15,000 00	
GOVERNMENT HOSPITAL FOR THE INSANE.		
For the support, clothing, and medical treatment of the insane of the army and navy and the revenue cutter service, and of the indigent insane of the District of Columbia, at the government hospital for the insane in said District, including five hundred dollars for books, stationery, and incidental expenses	90,500 00	
For finishing, furnishing, and lighting additional accommodations in the east wing, in part unfinished	5,000 00	
For continuation of the wall enclosing the grounds	10,000 00	
For the purchase and fencing fifty-six and one-half acres of meadow land, lying near the hospital, provided the Secretary of the Interior shall approve of the purchase in view of the price and quality of the land, and the necessity of adding it to the hospital farm	6,000 00	
PATENT OFFICE.		
For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter	1,800 00	
For preparing illustrations and descriptions for the report of the Commissioner of Patents	6,000 00	
Amount carried forward	4,614,983 95	144,987,873 43

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward.....	$4,614,983 95	$144,987,873 43
COLUMBIAN INSTITUTION FOR THE DEAF AND DUMB.		
For the support of the institution, including five hundred dollars for books and illustrative apparatus.....	20,700 00	
For the erection, furnishing, and fitting up of two extensions to the buildings, to provide enlarged accommodations for the male and female pupils and the resident officers of the institution.....	32,240 00	
For the erection of a brick barn, carriage-house, cow-house, shop, gas-house, and ice-house.	14,500 00	
For the improvement and enclosure of the grounds of the institution, including under-drainage and sewerage.....	4,500 00	
PROVIDENCE HOSPITAL, DISTRICT OF COLUMBIA.		
For the purpose of aiding in the erection of an additional building to the Providence hospital, in the city of Washington.....	30,000 00	
For the "national association for the relief of destitute colored women and children," incorporated under an act of Congress approved February fourteenth, eighteen hundred and sixty-three.....	5,000 00	
To enable the Commissioner of Public Buildings to reimburse the corporation of Washington for expenses incurred in improving streets and avenues passing through and by property of the general government, under the third section of the act approved May fifth, eighteen hundred and sixty-four, entitled "An act to incorporate the inhabitants of the city of Washington," passed May fifteenth, eighteen hundred and twenty.....	47,255 81	

CONGRESSIONAL LIBRARY.

To complete the extension of the library of Congress	22,000 00	
For furniture for the two wings of the extension of the congressional library, and for sliding cases for illustrated books	10,000 00	
For an additional appropriation, to be expended under the direction of the Joint Committee on the Library, to decorate the Capitol with such works of art as may be ordered and approved by said committee, as provided by act approved August eighteen, eighteen hundred and fifty-six	5,000 00	
For additional compensation of three laborers employed in the congressional library, commencing January 1, eighteen hundred and sixty-six	540 00	
For the purpose of erecting on the public land adjacent to the Treasury Department a fire-proof brick building to afford additional room for the Treasury Department	200,000 00	

GENERAL POST OFFICE BUILDING.

For completing the extension of the General Post Office building	40,000 00	

SURVEYING THE PUBLIC LANDS.

For surveying the public lands in Minnesota, at rates not exceeding ten dollars per lineal mile for standard lines, seven dollars for township, and six dollars for section lines	20,000 00	
For surveying the public lands in Dakota Territory, at rates not exceeding ten dollars per lineal mile for standard lines, seven dollars for township, and six dollars for section lines	15,000 00	
For surveying the public lands in Nebraska Territory, at rates not exceeding ten dollars per lineal mile for standard lines, six dollars for township, and five dollars for section lines	15,000 00	
For surveying the public lands in Kansas, at rates not exceeding ten dollars per lineal mile for standard lines, six dollars for township, and five dollars for section lines	15,000 00	
For surveying the public lands in Colorado Territory, at rates not exceeding ten dollars per lineal mile for standard lines, eight dollars for township, and seven dollars for section lines	15,000 00	
Amount carried forward	5,126,719 76	144,987,873 43

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$5,126,719 76	$144,987,873 43
For surveying the public lands in Nevada, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines	15,000 00	
For compensation of the surveyor general of Nevada	3,000 00	
For compensation of the clerks in his office	5,000 00	
For office rent, messenger, furniture, books, fuel, stationery, and incidental expenses of office	3,000 00	
For surveying the public lands in New Mexico, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines	5,000 00	
For surveying the public lands in California, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines	25,000 00	
For surveying the public lands in Oregon, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines	15,000 00	
For surveying the public lands in Washington Territory, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines	10,000 00	
For surveying the public lands in Montana Territory, at rates not exceeding fifteen dollars per lineal mile for standard lines, ten dollars for township, and eight dollars for section lines	15,000 00	
For compensation of the surveyor general of Montana	3,000 00	
For compensation of clerks in his office	5,000 00	
For office rent, messengers, furniture, books, fuel, stationery, and incidental expenses of office	3,000 00	
For surveying Indian and other reservations under treaty stipulations, at not exceeding fifteen dollars per mile, front boundaries, at ten dollars for township, and eight dollars per mile for section lines	50,000 00	

EXPENSES OF COLLECTION OF REVENUE FROM SALES OF PUBLIC LANDS.

For salaries and commissions of registers of land offices and receivers of public money	206,100 00	
For incidental expenses of the several land offices	19,400 00	
For necessary expenses incident to providing accommodations for internal revenue officers in existing United States fire-proof buildings, wherever possible	15,000 00	
For the purchase, enclosure, and preservation of a parcel of ground at Des Moines, the capital of Iowa, as a site for the erection of a building for the use of the federal courts and for other federal offices	15,000 00	
For the government building at Portland, Maine, used as post office, custom-house, and for the United States courts, lately destroyed or rendered almost worthless by fire, to repair or rebuild the same, as may prove most advisable	150,000 00	
For this amount, to be paid under the direction of the Secretary of the Interior, to enable the Seminoles to occupy, restore and improve their farms, as per third article treaty of March twenty-first, eighteen hundred and sixty-six	30,000 00	
For the purchase of agricultural implements, seeds, corn, and other stock, as per third article treaty of March twenty-first, eighteen hundred and sixty-six	20,000 00	
For the erection of a mill, as per third article treaty of March twenty-first, eighteen hundred and sixty-six	15,000 00	
For interest on fifty thousand dollars from the date of the ratification of the treaty, at the rate of five per cent. per annum, to be paid annually for the support of schools, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	Indefinite.	
For interest on twenty thousand dollars from the date of the ratification of the treaty, at the rate of five per cent. per annum, to be paid annually for the support of the Seminole government, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	Indefinite.	
For this amount, to be expended for subsisting the Seminole Indians, as per third article treaty of March twenty-first, eighteen hundred and sixty-six	40,362 00	
Amount carried forward	5,794,581 76	144,987,873 43

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total
Amount brought forward	$5,794,581 76	$144,987,873 43
For this amount, or so much thereof as may be necessary, to pay the losses that may be awarded under the provisions of article fourth of treaty March twenty-first, eighteen hundred and sixty-six, as per third article of said treaty	50,000 00	
For this amount, or so much thereof as may be necessary, to pay the expenses of a board of commissioners, to be appointed by the Secretary of the Interior, to investigate the losses of the loyal Seminole Indians, as per fourth article treaty of March twenty-first, eighteen hundred and sixty-six	720 00	
For the erection of agency buildings, as per sixth article of treaty of March twenty-first, eighteen hundred and sixty-six	10,000 00	
For this amount, or so much thereof as may be necessary, to enable the Secretary of the Interior to cause a census of each tribe to be taken, as per first clause seventh article treaty of March twenty first, eighteen hundred and sixty-six	2,500 00	
For transportation of such articles as may be purchased under the direction of the Secretary of the Interior for the Seminole Indians, under treaty of March twenty-first, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary	12,000 00	
For this amount to be paid per capita in money, unless otherwise directed by the President, upon the ratification of the treaty, to enable the Indians to occupy, restore, and improve their farms; to pay the damages sustained by the mission schools; and to pay the delegates of the council, as per third article treaty of June fourteenth, eighteen hundred and sixty-six	200,000 00	
For interest on seven hundred and seventy-five thousand one hundred and sixty-eight dollars from the date of the ratification of the treaty, at the rate of five per cent. per annum, to be expended under the direction of the Secretary of the Interior, as per third article treaty of June fourteenth, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	Indefinite.	

For this amount, or so much thereof as may be necessary, to enable the Secretary of the Interior to cause the line dividing the Creek country, as provided for by the terms of the sale of the Creek land to the United States in article third, as per eighth article treaty of June fourteenth, eighteen hundred and sixty-six	4,000 00	
For the erection of agency buildings, as per ninth article treaty of June fourteenth, eighteen hundred and sixty-six	10,000 00	
For this amount, or so much thereof as may be necessary, to enable the Secretary of the Interior to cause a census of the Creeks to be taken, as per first clause, tenth article, treaty of June fourteenth, eighteen hundred and sixty-six	2,500 00	
For this amount, or so much thereof as may be necessary, to pay the expenses incurred in negotiating treaty of June fourteenth, eighteen hundred and sixty-six, as per fourteenth article of said treaty	10,000 00	
For transportation of such articles as may be purchased for the Creek Nation of Indians under treaty of June fourteenth, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary	7,000 00	
Office of United States depositary, Louisville:		
For salary of cashier	1,800 00	
For salary of bookkeeper	1,500 00	
For salary of assistant cashier	1,320 00	
For salary of clerk	1,320 00	
For contingent expenses	625 00	
Office United States depositary, Chicago:		
For salary of cashier	1,600 00	
For salary of clerk	1,000 00	
For contingent expenses	400 00	
Office United States depositary, Pittsburg:		
For salary of cashier	1,500 00	
For salary of assistant cashier	1,000 00	
For salary of watchman	900 00	
For contingent expenses	200 00	
Amount carried forward	6,116,466 76	144,987,873 43

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$6,116,466 76	$144,987,873 43
Office United States depositary, Baltimore:		
For salary of cashier	1,800 00	
For salary of clerk	1,500 00	
For salary of clerk	1,200 00	
For salary of clerk	1,000 00	
For salary of clerk	1,200 00	
For salary of messenger	900 00	
For contingent expenses	360 00	
Office United States assistant treasurer, San Francisco:		
For salary of cashier	2,500 00	
For salary of book keeper	2,000 00	
Office United States depositary, Cincinnati:		
For salary of assistant cashier	1,500 00	
For salary of assistant cashier	1,200 00	
For salary of assistant cashier	1,000 00	
For salary of teller	1,300 00	
For salary of book-keeper	1,500 00	
For salary of two clerks	2,500 00	
For salary of clerk	1,200 00	
For contingent expenses	2,000 00	
That so much of any money in the treasury known as the "commutation fund," as may be necessary, be and the same is hereby appropriated for the payment to loyal persons claiming service or labor from colored volunteers or drafted men, the amounts heretofore or hereafter to be awarded them under the provisions of section twenty-fourth of the act entitled "An act to amend an act entitled 'An act for enrolling and calling out the national forces and for other purposes,' approved February twenty-fourth, eighteen hundred and		

sixty-four," for each person so claimed to be held to service or labor who has enlisted or been drafted into the military service of the United States	Indefinite.	
To supply the deficiency for the mail service of the fiscal year ending June thirtieth, eighteen hundred and sixty-six, out of the revenues of the Post Office Department	925,000 00	
For the payment of travelling expenses of the members of the first regiment of Michigan cavalry from the place, in Utah Territory, where they were mustered out of service, in the year eighteen hundred and sixty-six, to the place of their enrolment, a sum sufficient to allow each member three hundred and twenty-five dollars, deducting therefrom the amount paid to each for commutation of travel, pay, and subsistence by the government, when thus mustered out	Indefinite.	
For each and every soldier who enlisted into the army of the United States after the nineteenth day of April, eighteen hundred and sixty-one, for a period of not less than three years, and, having served the time of his enlistment, has been honorably discharged, and who has received or is entitled to receive from the United States under existing laws a bounty of one hundred dollars and no more, and any such soldier enlisted for not less than three years, who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children, or parents in the order named of any such soldier who died in the service of the United States, or of disease or wounds contracted while in the service, and in the line of duty, shall be paid the additional bounty of one hundred dollars hereby authorized	Indefinite.	
For each and every soldier who enlisted into the army of the United States after the fourteenth day of April, eighteen hundred and sixty-one, for a period of not less than two years, and, who is not included in the foregoing section, and has been honorably discharged after serving two years, and who has received or is entitled to receive from the United States under existing laws a bounty of one hundred dollars, and no more, shall be paid an additional bounty of fifty dollars, and any such soldier enlisted for not less than two years who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children, or parents, in the order named, of any such soldier who died in the service of the United States, or of disease or wounds contracted while in the service, and in the line of duty, shall be paid the additional bounty of fifty dollars hereby authorized	Indefinite.	
Amount carried forward	7,066,126 76	144,987,873 43

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$7,066,126 76	$144,987,873 43
For twenty per cent. additional compensation to the officers, clerks, committee clerks, messengers, and all other employés of the Senate and House of Representatives, and to the Globe and official reporters of each house, and the stenographer of the House, and to the Capitol police, and the three superintendents of the public gardens, their clerks and assistants, and to the librarian, assistant librarians, messengers, and other employés of the congressional library, to commence with the present Congress	Indefinite.	
For the preservation of the harbor of Provincetown, Massachusetts	8,000 00	
		7,074,126 76
By the act to supply deficiencies in the appropriations for the service of the fiscal year ending June thirty, eighteen hundred and sixty-six, and for other purposes.		
EXECUTIVE.		
For contingent expenses of the Executive office, including stationery thereof	4,000 00	
TREASURY DEPARTMENT.		
Office of the First Comptroller:		
For the employment of temporary clerks in said office	2,500 00	
Office of the Comptroller of the Currency:		
For compensation of the Comptroller, deputy comptroller, clerks, messengers, and laborers	30,000 00	
LIGHT-HOUSE BOARD.		
For contingent expenses, viz: for stationery, miscellaneous expenses, and postage, and renewing furniture and cases in the office	1,000 00	

For stationery for the Treasury Department in its various bureaus	20,000 00	
For southeast executive building, including the extension, viz:		
For contingent expenses, viz: for fuel, labor, light, and miscellaneous items	20,000 00	
For rent of buildings for the accommodation of clerks who cannot be accommodated in the treasury building	5,000 00	
DEPARTMENT OF THE INTERIOR.		
For additional compensation for the Assistant Secretary	500 00	
For compiling and supervising the Biennial Register	500 00	
POST OFFICE DEPARTMENT.		
For additional compensation to three Assistant Postmasters General, at five hundred dollars each	1,500 00	
For compensation of the additional clerks in the Post Office Department authorized to be appointed by act of Congress approved February sixteenth, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven	44,200 00	
For contingent expenses	5,000 00	
For twenty per centum additional to the salaries of female clerks employed in the Post Office Department, as per act of June twenty-fifth, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six	4,000 00	
For twenty per centum additional to the salaries of the laborers employed in the Post Office Department, and paid from the contingent fund, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six	2,040 00	
DISTRICT ATTORNEYS.		
For compensation of attorney for the eastern district of New York, from March twenty-second, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six	255 55	
For mail steamship service between the United States and Brazil, from November first, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six	100,000 00	
Amount carried forward	240,495 55	152,062,000 19

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$240,495 55	$152,062,000 19
For compensation of three watchmen for the dome of the Capitol, at seven hundred and twenty dollars each, for the fiscal year ending June thirty, eighteen hundred and sixty-seven	2,200 60	
For navy hospital at Washington, District of Columbia	30,000 00	
The compensation of the deputy solicitor of the Court of Claims shall be from and after June thirty, eighteen hundred and sixty-six	3,500 00	
GENERAL LAND OFFICE.		
To supply the deficiency for salaries and commissions of registers and receivers of the district land offices for the year ending June thirtieth, eighteen hundred and sixty-six	40,000 00	
For salary of marshal of the eastern district of New York from March twenty-second, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six	255 55	
PUBLIC BUILDINGS AND GROUNDS.		
To complete the sewer through the botanic garden	15,000 00	
To enable the Commissioner of Public Buildings to reconstruct the lower water-closets of the Supreme Court room; to place marble around the furnace register, by way of protection, and to make such other improvements as the Chief Justice of the court may desire	1,500 00	
To repair the planking and for other repairs to Long bridge, over the Potomac	3,000 00	
For iron seats for the public grounds	1,000 00	
To enable the Commissioner of Public Buildings to make such alterations in the arrangement of the business offices in the President's House as the President may desire	2,000 00	

For repair of one of the green-houses at the President's	500 00	
For annual repairs of the President's House, for the year ending June thirtieth, eighteen hundred and sixty-seven	6,000 00	
To complete the repairing and furnishing of the President's House	20,000 00	
To meet a deficiency in lighting Bridge and High streets, Georgetown, for the three months of the last fiscal year	1,100 00	
To so alter the roof gutters at the President's House as to prevent injury by overflow of water	3,000 00	
For the additional twenty per centum compensation to the messenger of the Court of Claims from January twenty-ninth to June thirtieth, eighteen hundred and sixty-six	67 20	
To ventilate the bath-room of the House of Representatives	200 00	
To alter and repair the building in the city of Philadelphia belonging to the United States, known as the Pennsylvania Bank building, so as to render it suitable for the occupancy of the appraisers connected with the customs at Philadelphia, under the direction of the Secretary of the Treasury	20,000 00	
INDIAN DEPARTMENT—MISCELLANEOUS.		
For the general incidental expenses of Indian service in Nevada, presents of goods, agricultural implements and other useful articles, and to assist them to locate in permanent abodes and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior	25,000 00	
For additional compensation to the publishers of the Statutes at Large	2,457 21	
To pay the salary of Edward Jarvis, from January first, eighteen hundred and sixty-five, to May thirty-first, eighteen hundred and sixty-five, for digesting the facts as to mortality and diseases, collected by the census marshals in eighteen hundred and sixty	750 00	
To enable the Secretary of State to remove his office and contents, in addition to the sum heretofore appropriated	25,000 00	
To enable the Secretary of War to make the pay of the persons employed at any time during the last fiscal year as temporary clerks in the office of the Quartermaster General, or any division thereof, equal to the pay of first-class clerks, which is hereby directed, such sum as may be necessary for this purpose	Indefinite.	
Amount carried forward	443,026 11	152,062,000 19

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward	$443,026 11	$152,061,000 19
To enable the Secretary of the Interior to pay the reasonable cost and expenses actually paid or incurred by the delegates of the Southern Cherokees in coming to and going from Washington, and during their stay in and about the negotiation upon the formation of treaties of peace and amity with the Indian tribes, a sum not exceeding	10,000 00	
For increased compensation of the chief justice and associate justices of the supreme court of the District of Columbia, authorized by the second section of the act of June first, eighteen hundred and sixty-six, from the first day of June, eighteen hundred and sixty-six, to the thirtieth day of June, eighteen hundred and sixty-six	374 65	
To enable the Secretary of the Interior to quiet the title of the occupants of the following lands, conveyed by the United States to Joseph Richardville, senior, and Joseph Richardville, junior, by treaty at Saint Mary's, October sixth, eighteen hundred and eighteen, to wit: the west half of section number twenty-six, (26,) the east half of section number twenty-eight, (28,) and section number twenty-seven, (27,) of township five south, range four east, lying in the county of Auglaize and State of Ohio	32,000 00	
For compensation of the depositary at Santa Fé, New Mexico, per act of March third eighteen hundred and sixty-three	1,000 00	
For salaries of additional clerks and additional compensation of officers and clerks, under act of August sixth, eighteen hundred and forty-six, at such rates as the Secretary of the Treasury may deem just and reasonable	10,000 00	
For compensation of two superintendents for the life-saving stations on the coasts of Long Island and New Jersey, per acts [of] December fourteenth, eighteen hundred and fifty-four, and August eighteenth, eighteen hundred and fifty-six	2,500 00	
For compensation of fifty-four keepers of stations, per same acts	6,000 00	
For salary of the superintendent of the building occupied by the Quartermaster General's office, for the current fiscal year	200 00	
For contingent expenses of the Senate, viz:		

For the Senate folding-room	6,000 00	
For additional messengers during the session	5,000 00	
To defray the expense of continuing the index to Senate list of private claims down to the present Congress, in pursuance of the order of the Senate, dated March sixteen, eighteen hundred and sixty-six	5,000 00	
		521,100 76
By the act authorizing the payment of the rewards offered by the President of the United States and the officers of the War Department in April and May, eighteen hundred and sixty-five, for the capture of the assassins of the late President, Abraham Lincoln, and the Secretary of State, Hon. William H. Seward.		
For the capture of Payne	5,000 00	
For the capture of Atzerott	25,000 00	
For the capture of Booth and Herold	75,000 00	
		105,000 00
By the act supplemental to the act to appropriate money for the postal services.		
For carrying the mail upon the post-roads established by acts of Congress, passed during the first session of the thirty-ninth Congress, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven		486,525 00
By the act for the relief of Mrs. Mary Lincoln, widow of the late President of the United States.		
For the relief of Mrs. Mary Lincoln		25,000 00
By the act for the relief of Charles F. Anderson.		
For the relief of Charles F. Anderson		7,500 00
Amount carried forward		153,207,125 95

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward		$153,207,125 95
By the act for the relief of James G. Clarke.		
For the relief of James G. Clarke		6,483 96
By the act for the relief of Thomas F. Wilson, late United States consul at Bahia, Brazil.		
For the relief of Thomas F. Wilson		1,500 00
By the act for the relief of R. L. B. Clarke.		
For the relief of R. L. B. Clarke		1,500 00
By the act for the relief of Francis A. Gibbons.		
For the relief of Francis A. Gibbons		563 19
By the act for the relief of the heirs of Lieutenant Joshua D. Todd, late of the United States navy, deceased.		
For the relief of the heirs of Lieutenant Joshua D. Todd		Indefinite.
By the act for the relief of the Amoskeag Manufacturing Company.		
For the relief of the Amoskeag Manufacturing Company		1,650 00

By the act for the relief of J. Judson Barclay.		
For the relief of J. Judson Barclay		3,000 00
By the act for the relief of A. T. Spencer and Gurdon S. Hubbard.		
For the relief of A. T. Spencer and Gurdon S. Hubbard		Indefinite.
By the act for the benefit of William G. Lee.		
For the relief of William G. Lee		28,428 50
By the act for the relief of the owners of the Hawaiian bark Kamahamaha V.		
For the relief of the owners of the Hawaiian bark Kamahamaha V		3,530 00
By the act for the relief of the owners of the bark Maria Henry.		
For the relief of the owners of the bark Maria Henry		12,000 00
By the act for the relief of Henry Horne.		
For the relief of Henry Horne, (in coin)		400 00
By the act for the relief of William Cook.		
For the relief of William Cook		200 00
By the act for the relief of Liston H. Pearce.		
For the relief of Liston H. Pearce		540 00
Amount carried forward		153,266,921 60

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward		$153,266,921 60
By the act for the relief of the owners of the British vessel Magicienne.		
For the relief of the owners of the British vessel Magicienne		8,645 00
By the act for the relief of Thomas W. Stevens.		
For the relief of Thomas W. Stevens		1,025 50
By the act for the relief of Alois Klaus.		
For the relief of Alois Klaus		32 90
By the act for the relief of James P. Johnson.		
For the relief of James P. Johnson		202 50
By the act for the relief of Mrs. Eleanor C. Ransom.		
For the relief of Mrs. Eleanor C. Ransom		400 00
By the resolution for the payment of expenses incurred by the joint committee to inquire into the condition of the States which formed the so-called Confederate States of America.		
For payment of expenses of the joint committee		10,000 00

By the resolution providing for expenses incurred in searching for missing soldiers of the army of the United States, and for the further prosecution of the same.		
To reimburse Miss Clara Barton for the amount expended by her, and to aid in the further prosecution of the search for missing soldiers		15,000 00
By the resolution for the relief of the sufferers by the late explosion at the United States arsenal, in the District of Columbia.		
For the relief of the sufferers		2,500 00
By the resolution for the temporary relief of destitute people in the District of Columbia.		
For the relief of the destitute population		25,000 00
By the resolution making appropriations for the expenses of collecting the revenue from customs.		
For the expenses of collecting the revenue from customs for each half year from and after the last day of December, 1865		2,100,000 00
Such sums as may be received during the half year, from fines, penalties, and forfeitures connected with the customs, and from storage, cartage, drayage, and labor	Indefinite.	
By the resolution respecting quarantine and health laws.		
To guard against the introduction of cholera into the ports of the United States	Indefinite.	
By the resolution providing for the acceptance of a collection of plants tendered to the United States by Frederick Pech.		
To enable the Commissioner of Agriculture to procure suitable cases for the protection of such plants		300 00
Amount carried forward		155,430,027 50

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward		$155,430,027 50
By the resolution making an appropriation to enable the President to negotiate treaties with certain Indian tribes.		
To enable the President to negotiate treaties with the Indian tribes of the upper Missouri and the upper Platte rivers		121,785 77
By the resolution making an appropriation for the repair of the Potomac bridge.		
To enable the Commissioner of Public Buildings to place the Potomac bridge in repair		10,000 00
By the resolution to pay the State of Vermont the sum expended for the protection of the frontier against the invasion from Canada in eighteen hundred and sixty-four.		
To pay the State of Vermont for money expended		16,463 81
By the resolution authorizing the hiring of a building or buildings for the temporary accommodation of the Department of State.		
For procuring suitable buildings for the Department of State		25,000 00
By the joint resolution to enable the people of the United States to participate in the advantages of the Universal Exposition at Paris in eighteen hundred and sixty-seven.		
To provide necessary furniture and fixtures for the proper exhibition of the productions of the United States	$48,000 00	
To provide additional accommodations in the park	25,000 00	

For the compensation of the principal agent of the exhibition in the United States	4,000 00	
For office rent at New York; for fixtures, stationery, and advertising; for rent of store-house for reception of articles and products; for expenses of shipping, including cartages, &c.; for freights on the articles to be exhibited from New York to France, and for compensation of four clerks, in conformity with the joint resolution approved January 15, 1866, and for contingent expenses	33,700 00	
For expenses in receiving, bonding, storage, cartage, labor, &c., at Havre; for railway transportation from Havre to Paris; for labor in the palace; for sweeping and sprinkling compartments for seven months; for guards and keepers for seven months; for linguists (eight men) for seven months; for storing packing-boxes, carting, and for material for re-packing; for clerk-hire, stationery, rent, and contingent expenses	35,703 00	
For the travelling expenses of ten professional and scientific commissioners	10,000 00	
		156,403 00
By the resolution in regard to rations of Union soldiers held as prisoners of war.		
For payment to all United States soldiers, sailors, and marines, who were held as prisoners of war in the rebel States, of commutation of rations		Indefinite.
By the resolution to authorize the purchase for the Library of Congress of the law library of James L. Petigru, of South Carolina.		
For the purchase of the law library of James L. Petigru		5,000 00
By the resolution manifesting the sense of Congress towards the officers and seamen of the vessels, and others, engaged in the rescue of the officers and soldiers of the army, the passengers and the officers and crew of the steamship San Francisco, from perishing with the wreck of that vessel.		
For the purchase of three gold medals, to be presented to Captain Creighton, of the ship Three Bells, of Glasgow, Captain Low, of the bark Kilby, of Boston, and one to Captain Stouffer, of the ship Antarctic	Indefinite.	
Amount carried forward		155,764,680 08

Appropriations, &c.—Continued.

Object of appropriation.	Amount.	Total.
Amount brought forward		$155,764,680 08
For the above named captains, respectively, as a reward of their humanity and heroism		7,500 00
For the mates of the three above-named vessels, five hundred dollars each, and to each man and boy the sum of one hundred dollars	Indefinite.	
By the resolution to provide for the publication of the official history of the rebellion.		
For salary of person to arrange and prepare for publication the official documents relating to the rebellion		2,500 00
By the resolution for the relief of certain Chippewa, Ottawa, and Pottawatomie Indians.		
For the settlement of all claims in favor of said Michigan Indians, either against the United States or said nation of Indians, past, present, or future		39,000 00
By the resolution for the relief of Elizabeth Woodward and George Chorpenning, of Pennsylvania.		
For the relief of Elizabeth Woodward and George Chorpenning, for destruction of property by Indians between Salt Lake and California prior to the first of July, eighteen hundred and fifty-two	$28,175 00	
To George Chorpenning, for property destroyed by Indians between Salt Lake and California prior to the first of April, eighteen hundred and fifty-six	26,370 00	
		54,545 00
By the resolution for the relief of Caroline A. Randall, administratrix and widow of Charles B. Randall, deceased.		
For the relief of Caroline A. Randall, widow of Charles B. Randall		175 00

By the resolution for the relief of Sergeant Milton McKimon.		
For the relief of Sergeant McKimon		58 45
By the resolution for the relief of Charles M. Blake.		
For the relief of Charles M. Blake		1,560 00
By the resolution for the relief of Fontaine T. Fox, jr.		
For the relief of Fontaine T. Fox, jr		Indefinite.
By the resolution to reimburse Mrs. Mary Philps, of Missouri.		
For reimbursing Mrs. Mary Philps for expenditures made by her in raising and equipping troops for the United States in the late rebellion		20,000 00
By the resolution to provide for payment of the claim of Colonel H. C. De Ahna for military services.		
For payment to Colonel De Ahna for military services		Indefinite.
By the resolution to pay Colonel Lewis F. Fix.		
For pay to Colonel Lewis F. Fix		Indefinite.
Total appropriations		155,890,018 53

RECAPITULATION.

Pension	$17,940,000 00
Deficiency for sundry civil expenses	4,904,514 46
Naval service for the year ending June 30, 1867	18,904,667 50
Post Office Department for the year ending June 30, 1867	19,679,500 00
Military Academy for the year ending June 30, 1867	301,457 00
Fortifications and other works of defence	1,540,000 00
Completion of public works	3,698,047 91
Army for the year ending June 30, 1867	38,004,241 83
Legislative, executive, and judicial expenses for the year ending June 30, 1867	25,430,459 89
Consular and diplomatic expenses for the year ending June 30, 1867	1,405,494 00
Indian department for the year ending June 30, 1867	3,780,772 82
Sundry civil expenses for the year ending June 30, 1867	7,074,126 76
Deficiencies for the year ending June 30, 1866	521,100 76
Miscellaneous	12,705,635 60
Total	155,890,018 53

II.—OFFICES CREATED AND THE SALARIES THEREOF.

[Prepared in the office of the Secretary of the Senate.]

By the act (Chap. X) authorizing an increase of the clerical force in the Post Office Department approved February 16, 1866.

The Postmaster General is authorized to appoint and employ four clerks, at a salary of twelve hundred dollars per annum each; seven clerks, at fourteen hundred dollars per annum each; fourteen clerks, at sixteen hundred dollars per annum each; and four clerks, at eighteen hundred dollars per annum each, until 30th June, 1866.

By the act (Chap. XXVIII) making additional appropriations, and to supply deficiencies in the appropriations for sundry civil expenses of government for the fiscal year ending June 30, 1866, &c., approved April 7, 1866.

SECTION 7. The Secretary of the Treasury is authorized to increase the clerical force in the office of the assistant treasurer at Philadelphia, and the aggregate salaries of the said clerks shall not exceed the sum of nine thousand dollars.

By the act (Chap. XLIV) to establish the collection district of Port Huron, the collection district of Michigan, the collection district of Montana and Idaho, and to change the name of collection district of Penobscot, approved April 13, 1866.

A new collection district, to be called the district of Port Huron, is established in the State of Michigan, embracing the mouth and entire shore of St. Clair river, and counties of St. Clair, Lapeer, Tuscola, and Saginaw, and all the territory and waters of the State of Michigan north of said counties and east of principal meridian, and a collector to be appointed, to reside at Port Huron, to receive a similar compensation as is provided for the collectors at Pembina, Chicago, and certain other ports; and a collection district, to be called the district of Michigan, embracing the territory and waters of the State of Michigan lying west of principal meridian, and not included in the district of Michilimackinac, is established, and a collector to be appointed, at a compensation similar to that allowed the collector of Port Huron, to reside at Grand Haven.

SECTION 2. The Territories of Montana and Idaho are made a new collection district, to be called the district of Montana and Idaho, and a collector, at a salary similar to that provided for collectors of Port Huron and Michigan, to be appointed, to reside at the port of entry in said district to be designated by the Secretary of the Treasury.

By the act (Chap. XLVI) to reimburse the State of Missouri for moneys expended for the United States in enrolling, equipping, and provisioning militia forces to aid in suppressing the rebellion, approved April 17, 1866.

Three commissioners, to be appointed by the President, with the advice and consent of the Senate, to ascertain the amount of moneys expended by the State of Missouri in enrolling, equipping, subsisting, and paying State forces called into service in said State since August 24, 1861, &c., to receive such compensation for their services as determined by the Secretary of the Treasury, not exceeding ten dollars per day for each day of actual service. The commission authorized to employ a clerk, at rate of compensation not exceeding $1,500 per annum.

By the act (Chap. LXXII) to provide for the better organization of the pay department of the navy, approved May 3, 1866.

The active list of the pay corps of the navy is to consist of eighty paymasters, forty passed assistant paymasters, and thirty assistant paymasters. Paymasters to be promoted from passed assistant paymasters, and passed assistant paymasters from assistant paymasters. The annual compensation of passed assistant paymasters to be, at sea, fifteen hundred dollars; on other duty, fourteen hundred dollars; on leave or waiting orders, twelve hundred dollars.

By the act (Chap. CXXXI) explanatory of the foregoing act, it is directed how the appointments and examinations of paymasters, passed assistant paymasters, and assistant paymasters may be made.

By the act (Chap. LXXXIV) to amend "An act to establish the grade of vice-admiral in the United States navy," approved May 16, 1866.

The vice-admiral is allowed a secretary, with the rank, sea pay, and allowances of a lieutenant in the navy.

By the act (Chap. C) to authorize the appointment of an additional Assistant Secretary of the Navy, approved May 26, 1866.

The President is authorized, with the advice and consent of the Senate, to appoint an additional Assistant Secretary of the Navy, to perform like duties and receive like salary as present Assistant Secretary of the Navy, the term of office to expire in six months after approval of act.

By the act (Chap. CXXVI) to authorize the Commissioner of Patents to pay those employed as examiners and assistant examiners the salary fixed by law for the duties performed by them, approved June 18, 1866.

The Commissioner of Patents is authorized to pay those employed in the Patent Office from April 1, 1861, until August 1, 1865, as examiners and assistant examiners of patents, at the rates fixed by law for these respective grades, the compensation to be paid out of the Patent Office fund.

By the act (Chap. CXXVIII) to reimburse the State of West Virginia for moneys expended for the United States in enrolling, equipping, and paying military forces to aid in suppressing the rebellion, approved June 21, 1866.

The President to appoint three commissioners, immediately after the passage of the act, to ascertain the amount of money expended by West Virginia in enrolling, supplying, equipping, transporting, and paying such State forces as had been called into the service in said State since June 20, 1861, to act with United States forces to suppress the rebellion against the United States. The commissioners to receive such compensation as may be determined by the Secretary of the Treasury.

By the act (Chap. CXXIX) to establish a hydrographic office in the Navy Department, approved June 21, 1866.

A hydrographic bureau is created and attached to the bureau of navigation in the Navy Department for improvement of means of navigation by providing accurate and cheap nautical charts, sailing directions, &c., for use of all vessels of the United States, and for the benefit of navigators generally. No officers or compensation provided for.

By the act (Chap. CXL) to provide for the revision and consolidation of the statute laws of the United States, approved June 27, 1866.

The President of the United States is authorized, by and with the advice and consent of the Senate, to appoint three persons, learned in the law, as commissioners, to revise, simplify, arrange, and consolidate all statutes of the United States, general and permanent in their nature, which shall be in force at the time said commissioners may make their final report to Congress.

The compensation of commissioners to be, each, five thousand dollars per annum, with reasonable expenses of clerical and other incidental expenses, not to exceed two thousand dollars annually.

By the act (Chap. CXLII) to establish a land office in the Territory of Idaho, approved June 27, 1866.

The public lands within the Territory of Idaho, to which the Indian title is or may be extinguished, is constituted a new land district, to be called the Idaho district, to be located at Boise City; and the President is authorized, by and with the advice and consent of the Senate, to appoint a register and receiver of public moneys for said district, to have the same powers, duties, and compensation as are or may be prescribed by law for land offices of the United States in other Territories.

By the act (Chap. CLV) amendatory of the organic act of Washington Territory, approved June 29, 1866.

SECTION 2 provides that each house of the legislature be authorized to elect an enrolling clerk, in addition to the officers now allowed by law, who shall each receive five dollars per day. The chief clerks to receive six dollars per day, and other officers elected by the legislature to receive five dollars per day each.

By the act (Chap. CLVI) to create the office of surveyor general in Idaho Territory, approved June 29, 1866.

The President, by and with the advice and consent of the Senate, is authorized to appoint a surveyor general for Idaho at an annual salary of three thousand dollars, whose power, authority, and duties shall be the same as those of surveyor general of Oregon, and with allowances for clerk hire, office rent, and fuel not exceeding what is allowed, for same purposes, the surveyor general of Oregon.

By the act (Chap. CLXII) to create an additional land district in the State of Oregon, approved July 3, 1866

The President is authorized to establish an additional land district in the State of Oregon, and appoint, by and with the advice and consent of the Senate, a register and receiver for said district, whose compensation and fees shall be respectively the same per annum as now allowed by law other land offices in said State.

By the act (Chap. CLXVI) concerning certain lands granted to the State of Nevada, approved July 4, 1866.

SECTION 4. The President is authorized, by and with the advice and consent of the Senate, to appoint a surveyor general for the State of Nevada, at a compensation of three thousand dollars per annum, whose duties, powers, obligations, allowances for clerk hire, office rent, fuel, and incidental expenses shall be the same as those allowed the surveyor general of Oregon.

By the act (Chap. CLXXXII) granting aid in the construction of a railroad and telegraph line from the town of Folsom to the town of Placerville, in the State of California, approved July 13, 1866.

Section 3 authorizes the President of the United States to appoint three commissioners to examine the railroad and telegraph line contemplated by the act, and if it appear that ten miles thereof have been completed, in a good and substantial manner, and in all respects as required by the act, they shall so report to the President, and patents for the land shall be issued to the company, &c.; and whenever ten additional miles shall have been constructed and completed said commissioners to report to the President, and patents for the land to be issued to the company, as aforesaid. The commissioners so appointed to be paid by the company ten dollars each per day for the time actually employed, and ten cents per mile for the distance actually and necessarily travelled each way.

By the act (Chap. CLXXXII) to reduce internal taxation, and to amend an act entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," approved June 30, 1864, and acts amendatory thereof, approved July 13, 1866.

The act of June 30, 1864, as amended by the act March 3, 1865, is amended in section 22 by providing that there shall be allowed and paid to the several assessors a salary of fifteen hundred dollars per annum, payable quarterly; and, in addition thereto, where the receipts of the collection district shall exceed the sum of one hundred thousand dollars, and shall not exceed the sum of four hundred thousand dollars annually, one-half of one per centum upon the excess of receipts over one hundred thousand dollars. Where the receipts of a collection district shall exceed four hundred thousand dollars, and shall not exceed six hundred thousand, one fifth of one per centum upon the excess of receipts over four hundred thousand dollars. Where the receipts shall exceed six hundred thousand dollars, one-tenth of one per centum upon such excess; but the salary of no assessor shall in any case exceed the sum of four thousand dollars. And the several assessors shall be allowed and paid the sums actually and necessarily expended, with the approval of the Commissioner of Internal Revenue, for office rent; but no account of such rent shall be allowed or paid until it shall have been verified in such manner as the Commissioner shall require, and shall have been audited and approved by the proper officers of the Treasury Department. And the several assessors shall be paid, after the account thereof shall have been rendered to and approved by the proper officers of the treasury, their necessary and reasonable charges for clerk hire; and that there shall be allowed and paid to each assistant assessor four dollars for every day actually employed in collecting lists and making valuations, the number of days necessary for that purpose to be certified by the assessor, and three dollars for every hundred persons assessed contained in the tax list, as completed and delivered by him to the assessor, and twenty-five cents for each permit granted for making tobacco, snuff, or cigars; and assistant assessors may be allowed, in the settlement of their accounts, such sum as the Commissioner of Internal Revenue shall approve, not exceeding three hundred dollars per annum, for office rent; and assistant assessors, when employed outside of the town in which they reside, in addition to the compensation now allowed by law, shall, during such time so employed, receive one dollar per day; and the said assessors and assistant assessors, respectively, shall be paid, after the account thereof shall have been rendered to and approved by the proper officers of the treasury, their necessary and reasonable charges for stationery and blank books used in the discharge of their duties, and for postage actually paid on letters and documents received and sent, and relating exclusively to official business, and for money actually paid for publishing notices required by this act: *Provided*, That the compensation herein specified shall be in full for all expenses not otherwise particularly authorized: *Provided further*, That the Secretary of the Treasury shall be, and he is hereby, authorized to fix such additional rates of compensation to be made to assessors and assistant assessors in cases where a collection

district embraces more than a single congressional district, and to assessors and assistant assessors, revenue agents, and inspectors in Louisiana, Georgia, South Carolina, Alabama, Florida, Texas, Arkansas, North Carolina, Mississippi, Tennessee, California, Nevada, and Oregon, and the Territories, as may appear to him to be just and equitable, in consequence of the greater cost of living and travelling in those States and Territories, and as may, in his judgment, be necessary to secure the services of competent officers; but the compensation thus allowed shall not exceed the rate of five thousand dollars per annum. Collectors of internal revenue acting as disbursing officers shall be allowed all bills of assistant assessors heretofore paid by them in pursuance of the directions of the Commissioner of Internal Revenue, notwithstanding the assistant assessor did not certify to hours therein, or that two dollars per diem was deducted from his salary or compensation before computation of the tax thereon.

Section 29 provides that the Secretary of the Treasury shall appoint an inspector for every distillery established according to law, who shall take an oath faithfully to perform his duties as therein prescribed, and said inspector shall not engage in any other business while employed as an inspector, and shall be paid five dollars per day for the time during which he is engaged: and the amount of compensation thus paid for inspection shall be assessed by the assessor upon the distiller, and returned to the collector monthly for collection; and in addition to the above compensation, such inspector shall receive such fee as may be prescribed by the Commissioner of Internal Revenue for each and every proof gallon of distilled spirits inspected by him and removed to the bonded warehouse, which shall be paid by the distiller or owner of the spirits; but no compensation shall be allowed to such inspector for more than one inspection of such spirits. And in case the duties of such inspector shall be greater at any time than he can perform, upon the joint application of the inspector and owner of such distillery, the Secretary of the Treasury may appoint an assistant inspector; and upon the refusal of the distiller to join in such application, the collector shall decide as to such necessity; and such assistant inspector shall qualify in the same manner and be subject to the same penalties as the inspector, and he shall be paid in the same manner as the inspector, at a rate not exceeding the sum of three dollars per day while so employed; and in case of absence by sickness, or from any other cause, of such inspector or assistant, the collector may designate a person to take temporary charge of such distillery and warehouse, who shall during such absence perform the duties, receive the same rate of pay, and be paid in the same manner as said inspector or assistant for the time he may be so employed.

Section 30 provides that there shall be appointed by the Secretary of the Treasury, in every collection district where the same may be necessary, one or more general inspectors of spirits, who shall be entitled to receive such fee as may be prescribed by the Commissioner of Internal Revenue for each and every proof gallon gauged and proved by him, to be paid by the owner of the spirits.

Section 64 provides that the office of Commissioner of Internal Revenue be reorganized so as to include—

One Commissioner of Internal Revenue, with a salary of six thousand dollars; and

One deputy commissioner, with a salary of three thousand five hundred dollars;

Which offices are already created, and the duties thereof defined by law; and to authorize, under the direction of the Secretary of the Treasury, the employment of the following additional officers and clerks, and with the salaries hereinafter specified, namely:

Two deputy commissioners, each with a salary of three thousand dollars;

One solicitor, with a salary of four thousand dollars;

Seven heads of divisions, each with a salary of two thousand five hundred dollars;

Thirty-four clerks of class four; forty-five clerks of class three; fifty clerks of class two; and thirty-seven clerks of class one;

Fifty-five female clerks; five messengers,

Three assistant messengers, and fifteen laborers; and a sum sufficient to pay the additional salaries of officers, clerks, and employés herein authorized is hereby appropriated out of any money in the treasury not otherwise appropriated; and this section shall take effect from and after the thirtieth day of June, eighteen hundred and sixty-six.

Section 66 provides that the Secretary of the Treasury is hereby authorized to appoint an officer in his department who shall be styled "Special Commissioner of the Revenue," whose office shall terminate in four years from the thirtieth day of June, eighteen hundred and sixty-six, at an annual salary of four thousand dollars, and the travelling expenses necessarily incurred while in the discharge of his duty.

By the act (Chap. CC) to continue in force and to amend "An act to establish a Bureau for the relief of Freedmen and Refugees," and for other purposes, approved July 16, 1866.

Section 3 provides that the President, by and with the advice and consent of the Senate, shall appoint two assistant commissioners, in addition to those already authorized, who shall give like bonds and receive the same annual salaries as provided by act of which this is amendatory. The commissioner, under the direction of the President, if in his judgment necessary, may appoint such agents, clerks, and assistants for more efficient and economical administration of the affairs of the bureau. Each agent or clerk not heretofore au-

thorized by law, not being a military officer, shall have an annual salary of not less than five hundred dollars nor more than twelve hundred dollars.

Section 4 provides that officers of the Veteran Reserve Corps, or of the volunteer service, now on duty in the Freedmen's Bureau as assistant commissioners, agents, medical officers, or in other capacities, whose regiments have been or may be mustered out of service, may be retained in service in the bureau and receive same compensation as now provided by law for their respective grades of service.

By the act (Chap. CCI) further to prevent smuggling, and for other purposes, approved July 18, 1866.

Section 7 provides that the Secretary of the Treasury shall make such allowance as he may deem reasonable and just, upon the certificate of the judge before whom the prosecution was had, to the district attorney for expenses incurred and services rendered in prosecutions for fines and personal penalties under the act.

By the act (CCVIII) making appropriations for the legislative, executive and judicial expenses of the government for the year ending June 30, 1866, and for other purposes, approved July 23, 1866.

It is provided in the first section that for compensation of temporary clerks in the Treasury Department, and for additional compensation to officers and clerks in the same department, one hundred and sixty thousand dollars: *Provided*, That the temporary clerks herein provided for may be classified according to the character of their services. *Provided further*, That so much of the appropriation of two hundred and fifty thousand dollars, granted by act approved March second, eighteen hundred and sixty-five, for compensation of temporary clerks in the Treasury Department and for additional compensation to clerks in the same department, as remains unexpended, shall be divided as follows, viz: one hundred dollars each shall be paid to the clerks in said department of the first and second classes, who have not received any additional compensation out of said appropriation, and who shall have served in said capacity for one year previous to July first, eighteen hundred and sixty-six. And one hundred dollars shall be paid to each person employed in said department appointed by the Secretary, at an annual salary amounting to less than twelve hundred dollars, and who shall have served under such appointment for one year previous to July first, eighteen hundred and sixty-six. And if the balance of said appropriation remaining unexpended shall be insufficient to pay said clerks and appointees the sum of one hundred dollars each, as herein provided, the deficiency shall be supplied and paid out of any money in the Treasury not otherwise appropriated

For compensation of additional clerks in the General Land Office, under the act of third of March, one thousand eight hundred and fifty-five, granting bounty land, and for laborers employed therein, fifty-eight thousand six hundred and forty dollars: *Provided*, That the Secretary of the Interior, at his discretion, shall be, and he is hereby, authorized to use any portion of said appropriation for piece-work, or by the day, week, month or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum.

For salary of additional clerks in the office of the assistant treasurer, at Philadelphia, six thousand five hundred and eighty-five dollars.

For salaries of the clerks and messengers in the office of the assistant treasurer at Boston, twenty-five thousand two hundred dollars: *Provided*, That in lieu of the clerks heretofore authorized, the assistant treasurer of the United States at Boston is hereby authorized to appoint, with the approbation of the Secretary of the Treasury, one chief clerk, at a salary of three thousand dollars per annum; one clerk, at a salary of twenty-five hundred dollars per annum; one clerk, at a salary of two thousand dollars per annum; two clerks, at a salary of eighteen hundred dollars per annum each; two clerks, at a salary of fifteen hundred dollars per annum each; six clerks, at a salary of twelve hundred dollars per annum each; one clerk, at a salary of one thousand dollars per annum; two clerks at a salary of eight hundred dollars per annum each; one porter, at a salary of seven hundred dollars per annum; and one watchman, at a salary of six hundred dollars per annum.

Section 4 provides that the President is hereby authorized to appoint a private secretary, at an annual salary of three thousand five hundred dollars; an assistant secretary, at an annual salary of twenty-five hundred dollars; a shorthand writer, at an annual salary of twenty-five hundred dollars; a clerk of pardons, at an annual salary of two thousand dollars; and three clerks of the fourth class; and a steward of the President's household, who shall receive an annual salary of two thousand dollars, and said steward shall have the custody of the plate, furniture, and other public property in the President's house, and shall give a bond for the faithful discharge of his trust; and the amount necessary to pay the salaries of the officers and clerks herein provided for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, and also such sum as may be necessary to pay the salaries of said officers and clerks from the date of their appointment to the end of the fiscal year eighteen hundred and sixty-six, are hereby appropriated out of any money in the treasury not otherwise appropriated.

Section 5 provides that from and after the thirtieth day of June, eighteen hundred and sixty-six, there shall be an officer in the Treasurer Department, to be known as the Assistant Solicitor of the Treasury, who shall be appointed by the Secretary of the Treasury, and who shall receive an annual salary of three thousand dollars. And the Attorney General of the United States is hereby authorized to employ in his office, in addition to the present force, a clerk, to be known as the law clerk, at an annual salary of twenty-five hundred dollars. And the amount required to pay the salaries of the officer and clerk herein provided for, for the fiscal year end'ng June thirtieth, eighteen hundred and sixty-seven, is hereby appropriated.

Section 8 provides that the Secretary of the Navy is authorized to appoint in the several bureaus of his department, in addition to their chief clerks, and in lieu of the clerical force now authorized, clerks as follows, viz: In the Bureau of Yards and Docks, one clerk of class four, who shall be the draughtsman, two clerks of class three, two clerks of class two, and one clerk of class one; in the Bureau of Navigation, one clerk of class four, and one clerk of class two; in the Bureau of Equipment and Recruiting, one clerk of class four, two clerks of class three, two clerks of class two, and three clerks of class one; in the Bureau of Ordnance, one clerk of class four, two clerks of class three, and two clerks of class two; in the Bureau of Construction and Repairs, one clerk of class four, two clerks of class three, two clerks of class two, and one clerk of class one; in the Bureau of Steam Navigation, one clerk of class three; in the Bureau of Provisions and Clothing, one clerk of class four, three clerks of class three, six clerks of class two, and three clerks of class one; in the Bureau of Medicine and Surgery, one clerk of class four, and one clerk of class three. And the amount necessary to pay the increase of salaries herein provided for, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-seven, is hereby appropriated out of any money in the treasury not otherwise appropriated.

By the act (Chap. CCXI) to amend the acts approved August 6, 1861, and July 16, 1862, establishing a Metropolitan Police in the District of Columbia, to increase the efficiency thereof, and for other purposes.

It is provided by section 1 that the chief executive officer of the police shall hereafter be styled major; the present sergeants shall be called lieutenants, and the roundsmen called sergeants, and the patrolmen called privates; and that, in addition to the officers and employes the commissioners of the Metropolitan Police, in the District of Columbia, are now authorized by law to appoint, the said commissioners be authorized to appoint one captain, who shall be the inspector of the force, command it in sickness or absence of the major, and perform such other duties as the said commissioners may direct; one clerk in the office of the major, who shall have charge of the records of the sanitary company, and perform such other duties as the major, by direction or with the approval of the commissioners, may prescribe; twenty sergeants, and fifty patrolmen or privates.

By the act (Chap. CCXXXI) to define the number and regulate the appointments of officers in the navy, and for other purposes, approved July 25, 1866.

Section 1 provides that the number allowed in each grade of line officers on the active list of the navy shall be one admiral, one vice-admiral, ten rear-admirals, twenty-five commodores, fifty captains, ninety commanders, one hundred and eighty lieutenant commanders, one hundred and eighty lieutenants, one hundred and sixty masters, one hundred and sixty ensigns, and in other grades the number now allowed by law.

Section 2 provides that of the number of line officers of the navy on the active list, five lieutenant commanders, twenty lieutenants, fifty masters, and seventy-five ensigns may be appointed from those officers who have served in the volunteer naval service for a period of not less than two years, and who are either now in that service or have been honorably discharged therefrom.

Section 3 provides that the Secretary of the Navy shall appoint a board consisting of not less than three naval officers superior in rank to the officers to be thus appointed in the regular navy from the volunteer service, which board, after examination of the claims of all candidates, shall select and report to the Secretary of the Navy the most meritorious in character, ability, professional competency, and honorable service, the number to be appointed and transferred to the several grades mentioned in the second section of this act.

Section 4 provides that the Secretary of the Navy be, and he hereby is, authorized to retain, or to appoint under existing laws and regulations, such volunteer officers in the navy as the exigencies of the service may require.

Section 6 provides that the annual compensation of the admiral of the navy shall be ten thousand dollars a year, and he shall be entitled to the services of a secretary, who shall receive the annual sea pay of a lieutenant in the navy.

Section 7 provides that naval constructors and first and second assistant engineers in the navy shall be appointed by the President and confirmed by the Senate, and shall have naval rank and pay as officers of the navy.

By the act (Chap. CCXXXII) to revive the grade of General in the United States army, approved July 25, 1866.

Section 1 provides that the grade of "General of the army of the United States" be, and the same is hereby, revived; and that the President is hereby authorized, whenever he shall deem it expedient, to appoint, by and with the advice and consent of the Senate, a General of the army of the United States, to be selected from among those officers in the military service of the United States most distinguished for courage, skill, and ability, who, being commissioned as General, may be authorized, under the direction and during the pleasure of the President, to command the armies of the United States.

Section 2 provides that the pay proper of the General shall be four hundred dollars per month, and his allowance for fuel and quarters, when his headquarters are in Washington, shall be at the rate of three hundred dollars per month, and his other allowances in all respects the same as are allowed to the Lieutenant General by the second section of the act approved February twenty-nine, eighteen hundred and sixty-four, entitled "An act reviving the grade of Lieutenant General in the United States army," and the chief of staff to the Lieutenant General shall be transferred and be the chief of staff to the General, with the rank, pay, and emoluments of a brigadier general in the army of the United States; and the act approved March third, eighteen hundred and sixty-five, entitled "An act to provide for a chief of staff to the Lieutenant General commanding the armies of the United States," is hereby repealed; and the said General may select from the regular army for service upon his staff such number of aids, not exceeding six, as he may judge proper, who, during the term of such staff service, shall each have the rank, pay, and emoluments of a colonel of cavalry. And it is hereby provided, that in lieu of the staff now allowed by law to the Lieutenant General, he shall be entitled to two aids and one military secretary, each to have the rank, pay, and emoluments of a lieutenant colonel of cavalry, during the term of such staff service.

By the act (Chap. CCXXXIII) making appropriations for consular and diplomatic expenses of the government for the year ending June 30, 1867, and for other purposes, approved July 25, 1866.

Section 2 provides that the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a Second Assistant Secretary of State in the Department of State, and also an examiner of claims for the same department, whose salary shall be three thousand dollars per annum; and the salary of the Second Assistant Secretary of State shall be thirty-five hundred dollars per annum; and such sums are hereby appropriated.

Section 4 provides that the salary of any envoy extraordinary and minister plenipotentiary hereafter appointed shall be the salary of a minister resident and nothing more, except when he is appointed to one of the countries where the United States are now represented by an envoy extraordinary and minister plenipotentiary.

By the act (Chap. CCXXXVI) authorizing the construction of a jail in and for the District of Columbia, approved July 25, 1866.

Section 2 provides that the Secretary of the Interior shall employ an architect and have prepared a design for the building. Salary of the architect not stated or provided for.

By the act (Chap. CCXXXVIII) to establish in the District of Columbia a house of correction for boys, approved July 25, 1866.

Section 2 provides that the government of said institution shall be vested in a board of seven trustees, to be appointed and commissioned by the President of the United States, one of whom shall be nominated for appointment by the mayor of Washington, one by the mayor of Georgetown, one by the levy court of the county of Washington, and four by the Secretary of the Interior; and no trustee shall receive compensation for his services, but each trustee shall be allowed the amount of expenses necessarily incurred in the discharge of the duties of his office.

Section 4 provides that it shall be the duty of the said board of trustees to take charge of the general interests of the institution; they may appoint a superintendent, a steward, a teacher or teachers, and such other officers as may be found necessary and may be approved by the Secretary of the Interior; they may fix the salaries of said officers, subject to the approval of the Secretary of the Interior.

By the act (Chap. CCXLVIII) providing for the appointment of a commission to examine and report upon certain claims of the State of Iowa, approved July 25, 1866.

The act provides that the President of the United States be, and he hereby is, authorized and required to appoint a commissioner, whose duty it shall be to examine and report on or before the first day of December next upon the claim of the State of Iowa for forage, transportation, subsistence, and clothing furnished by said State to certain volunteers of said State.

Also the claim of the State of Iowa for repayment of certain moneys paid by said State in raising, arming, equipping, paying, and subsisting certain troops of the State maintained by the State on the southern and northwestern borders thereof during the late rebellion. And also the claim of said State for compensation for certain forage procured and barracks built by the State.

By the act (Chap. CCLXVIII) in relation to the appointment of clerks to the courts of Washington Territory, approved July 26, 1866.

Each judge of the district court authorized to appoint a clerk for each court in his district. Salary not stated.

By the act (Chap. CCLXXXIV) to amend the acts relating to officers employed in the examination of imported merchandise, in the district of New York, and for other purposes, approved July 27, 1866.

Section 1 provides that in lieu of the appraisers now authorized by law for the appraisement of goods, wares, and merchandise at the port of New York, the President of the United States shall, by and with the advice and consent of the Senate, appoint for said port one appraiser, who has had experience as an appraiser, or who shall be practically acquainted with the quality and value of some one or more of the chief articles of importation subject to appraisement. And the appraiser created by this act, in cases of his necessary and occasional absence, may perform his functions *ad interim* by deputy, designated by him in writing, from the assistant appraisers to be appointed under the provisions of this act.

Section 2 provides that in lieu of the assistant appraisers now authorized by law for the port of New York, the Secretary of the Treasury may appoint not exceeding ten assistant appraisers for said port, who have had experience as appraisers, or who shall be practically acquainted with the quality and value of some one or more of the chief articles of importation subject to appraisement.

Section 3 provides that one of the assistant appraisers to be appointed by virtue of this act, with special reference to his qualifications for the duties in this section set forth, shall, in addition to the duties that may be required of him by the appraiser, perform the duties and act in the place and stead of the special examiner of drugs, medicines, chemicals, and so forth, at the port of New York.

Section 4 provides that in lieu of the clerks now employed in the examination, inspection, and appraisement of goods, wares, and merchandise at the port of New York, the Secretary of the Treasury may, on the nomination of the appraiser, appoint such number of examiners as said Secretary may, in writing, determine to be necessary, their compensation to be limited and fixed by him, but not to exceed the rate of twenty-five hundred dollars per year. And the Secretary of the Treasury shall also appoint, on the nomination of the appraiser, the clerks, verifiers, samplers, openers, packers, and messengers employed in the appraiser's office, or in any of the departments thereof, and shall limit and fix their number and compensation; but their compensation shall not exceed the rates of compensation usually paid for similar service.

Section 6 provides that the appraiser who may be appointed under the provisions of this act shall receive a compensation of four thousand dollars per annum, and the assistant appraisers shall each receive a compensation of three thousand dollars per annum, to be paid out of the appropriations for defraying the expenses of collecting the revenue.

Section 10 provides that all aids to the revenue or others performing the duties of inspectors of customs in any collection district shall be paid the same per diem compensation as inspectors of customs.

By the act (Chap. CCXCVI) making appropriations for sundry civil expenses of the government for the year ending June 30, 1867, and for other purposes, approved July 28, 1866.

In section 1 it is provided for the compensation of eight extra clerks in the Office of Indian Affairs, under the acts of August fifth, eighteen hundred and fifty-four, March third, eighteen hundred and fifty-five, and March third, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, eleven thousand two hundred dollars.

For the payment of temporary clerks of the first class in the office of the Commissioner of Pensions, under the direction of the Secretary of the Interior, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, twenty-five thousand dollars.

By the act (Chap. CCXCVIII) to protect the revenue and for other purposes, approved July 28, 1866.

Section 13 provides that there shall be established in and attached to the Department of the Treasury a bureau to be styled "the Bureau of Statistics;" and the Secretary of the Treasury is hereby authorized to appoint a director to superintend and conduct the business of said bureau, who shall be paid an annual salary of thirty-five hundred dollars.

By the act (Chap. CCXCIX) to increase and fix the military and peace establishment of the United States, approved July 28, 1866.

Section 1 provides that the military peace establishment of the United States shall hereafter consist of five regiments of artillery, ten regiments of cavalry, forty-five regiments of infantry, the professors and corps of cadets of the United States Military Academy, and such other forces as shall be provided for by this act, to be known as the Army of the United States.

Section 3 provides that to the six regiments of cavalry now in service there shall be added four regiments, two of which shall be composed of colored men, having the same organization as is now provided by law for cavalry regiments, with the addition of one veterinary surgeon to each regiment, whose compensation shall be one hundred dollars per month.

Section 4 provides that the forty-five regiments of infantry provided for by this act shall consist of the first ten regiments, of ten companies each, now in service; of twenty-seven regiments, of ten companies each, to be formed by adding two companies to each battalion of the remaining nine regiments; and of eight new regiments, of ten companies each, four regiments of which shall be composed of colored men: and four regiments of ten companies each to be raised and officered as hereinafter provided for, to be called the veteran reserve corps.

Section 6 prescribes the number of officers, non-commissioned officers, principal musicians, and companies to each regiment; the number of officers, non-commissioned officers, artificers, musicians, and privates to each company; and authorizes the President to enlist and employ in the Territories and Indian country a force of Indians, not to exceed one thousand, to act as scouts, who shall receive the pay and allowances of cavalry soldiers.

Section 7 provides that fifteen bands, including the band at the Military Academy, may be retained or enlisted in the army, and authorizes the President of the United States to appoint for each national cemetery now established, or that may be established, a superintendent, with the rank, pay, and emoluments of an ordnance sergeant.

Section 11 provides that there shall be four inspectors general of the army, with the rank, pay, and emoluments of colonels of cavalry; three assistant inspectors general, with the rank, pay, and emoluments of lieutenant colonels of cavalry; and two assistant inspectors general, with the rank, pay, and emoluments of majors of cavalry.

Section 12 provides that the Bureau of Military Justice shall hereafter consist of one Judge Advocate General, with the rank, pay, and emoluments of a brigadier general, and one Assistant Judge Advocate General, with the rank, pay, and emoluments of a colonel of cavalry; and of the judge advocates now in office there may be retained a number not exceeding ten, to be selected by the Secretary of War until otherwise provided by law, or until the Secretary shall decide their services can be dispensed with.

Section 13 provides that the quartermaster's department of the army shall hereafter consist of one Quartermaster General, with the rank, pay, and emoluments of a brigadier general; six assistant quartermasters general, with the rank, pay, and emoluments of colonels of cavalry; ten deputy quartermasters general, with the rank, pay, and emoluments of lieutenant colonels of cavalry; fifteen quartermasters, with the rank, pay, and emoluments of majors of cavalry; and forty-four assistant quartermasters, with the rank, pay, and emoluments of captains of cavalry.

Section 14 provides that the number of military storekeepers in the quartermaster's department shall hereafter be as many as shall be required, not exceeding sixteen, with rank, pay, and emoluments of captains of infantry.

Section 16 provides that the subsistence department of the army shall remain as now authorized by law, namely: one Commissary General of Subsistence, with the rank, pay, and emoluments of a brigadier general; two assistant commissaries general of subsistence, with the rank, pay, and emoluments of colonels of cavalry; two assistant commissaries general of subsistence, with the rank, pay, and emoluments of lieutenant colonels of cavalry; eight commissaries of subsistence, with the rank, pay, and emoluments of majors of cavalry; and sixteen commissaries of subsistence, with the rank, pay, and emoluments of captains of cavalry.

Section 17 provides that the medical department of the army shall hereafter consist of one Surgeon General, with the rank, pay, and emoluments of a brigadier general; one Assistant Surgeon General, with the rank, pay, and emoluments of a colonel of cavalry; one chief medical purveyor and four assistant medical purveyors, with the rank, pay and emoluments of lieutenant colonels of cavalry; sixty surgeons, with the rank, pay, and emoluments of majors of cavalry; one hundred and fifty assistant surgeons, with the rank, pay, and emoluments of first lieutenants of cavalry for the first three years' service, and five medical storekeepers, with the same compensation as is now provided by law: and the Secretary of War is hereby authorized to appoint from the enlisted men of the army, or cause to be enlisted, as many hospital stewards as the service may require, to be permanently attached to the medical department.

Section 18 provides that the pay department of the army shall hereafter consist of one Paymaster General, with the rank, pay, and emoluments of a brigadier general; two assistant paymasters general, with the rank, pay, and emoluments of colonels of cavalry; two

deputy paymasters general, with the rank, pay, and emoluments of lieutenant colonels of cavalry; and sixty paymasters, with the rank, pay, and emoluments of majors of cavalry.

Section 19 provides that the corps of engineers shall consist of one Chief of Engineers, with the rank, pay, and emoluments of a brigadier general; six colonels, twelve lieutenant colonels, twenty-four majors, thirty captains, and twenty-six first and ten second lieutenants, who shall have the pay and emoluments now provided by law for officers of the engineer corps.

Section 20 provides that the officers of engineers, acting respectively as adjutant and quartermaster of the battalion of engineers shall be entitled to the pay and emoluments of adjutants and quartermasters of cavalry.

Section 21 provides that the ordnance department of the army shall consist of one brigadier general, three colonels, four lieutenant colonels, ten majors, twenty captains, sixteen first lieutenants, and ten second lieutenants, with the same pay and emoluments as now provided by law; and thirteen ordnance storekeepers, of whom a number, not exceeding six, may be appointed and authorized to act as paymasters at armories and arsenals. The ordnance storekeeper and paymaster at the national armory at Springfield shall have the rank, pay, and emoluments of a major of cavalry, and all other ordnance storekeepers shall have the rank, pay, and emoluments of captains of cavalry.

Section 22 provides that there shall be one chief signal officer of the army, who shall have the rank, pay, and emoluments of a colonel of cavalry.

Section 30 provides that one chaplain may be appointed by the President, by and with the advice and consent of the Senate, for each regiment of colored troops, whose duty shall include the instruction of the enlisted men in the common English branches of education; and chaplains, when ordered from one field of duty to another, shall be entitled to transportation at the same rate as other officers.

By the act (CCCII) to amend an act entitled "An act making appropriations for sundry civil expenses of the government, for the year ending the 30th June, 1859," approved July 28, 1866.

It is provided that where there is no collector at the place of location of any public work herein specified, the Secretary of the Treasury shall have power to appoint a disbursing agent for the payment of all moneys that are, or may be hereafter, appropriated for the construction of any such public work, with such compensation as he may deem equitable and just.

By the joint resolution (No. 3) in relation to the Industrial Exposition at Paris, France, approved January 15, 1866.

It is provided by section 3 that the general agent for the said Exposition at New York be authorized to employ such clerks as may be necessary to enable him to fulfil the requirements of the regulations of the imperial commission, not to exceed four in number, one of whom shall receive compensation at the rate of eighteen hundred dollars per annum, one at sixteen hundred dollars, and two at fourteen hundred dollars.

By the joint resolution (No. 44) authorizing the appointment of examiners to examine a site for a fresh-water basin for iron-clad vessels of the United States navy.

It is provided that the Secretary of the Navy be authorized and directed to appoint a board of examiners to examine a site at or near Portland, Maine, for the fresh-water basin for iron-clad vessels of the United States navy, and to ascertain the advantages and cost of said site, and report to this Congress during the present session. [Compensation not stated.]

By the joint resolution (No. 66) to enable the people of the United States to participate in the advantages of the Universal Exhibition at Paris in 1867, approved July 5, 1866.

It is provided that the compensation of the principal agent shall be at the rate of two thousand dollars a year, the period of service not to extend beyond sixty days.

By the joint resolution (No. 76) authorizing the Commissioner of Public Buildings to employ three additional watchmen in the Smithsonian grounds.

It is provided that the Commissioner of Public Buildings and Grounds be, and he is hereby, authorized to employ three additional watchmen for the Smithsonian grounds. [Compensation not stated.]

By the joint resolution (No. 91) to provide for the publication of the Official History of the Rebellion, approved July 27, 1866.

Section 2 provides that the Secretary of War be, and he is hereby, authorized and required to employ a competent person to arrange and prepare for publication the official documents relating to the rebellion and the operations of the army of the United States, who shall prepare a plan for said publication, and estimates of the cost thereof, to be submitted to Congress at its next session, with a compensation not to exceed two thousand five hundred dollars per annum, said compensation not to be paid for a longer period than two years after the passage of this resolution.

III.—OFFICES THE SALARIES OF WHICH HAVE BEEN INCREASED, WITH THE AMOUNT OF SUCH INCREASE, DURING THE SAME PERIOD.

By the act (Chap. XXVII) making additional appropriations and to supply deficiencies in the appropriations for sundry civil expenses of government for the fiscal year ending June 30, 1866, &c., approved April 7, 1866.

For compensation to the revenue agent at New York, in addition to the sum authorized by act of June 30, 1864, including one thousand for the current fiscal year, two thousand dollars.

SECTION 14. That from and after the first day of April, 1866, there shall be paid annually, instead of the yearly salaries at present authorized, to the director of the mint at Philadelphia, four thousand five hundred dollars; to the treasurer, three thousand five hundred dollars, and one thousand five hundred dollars for additional compensation as assistant treasurer of the United States; to the melter and refiner, three thousand dollars; to the assayer, three thousand dollars; to the assistant to the assayer, two thousand dollars; to the chief coiner, three thousand dollars; to the assistant to the chief coiner, two thousand dollars; to the engraver, three thousand dollars; to one clerk, two thousand five hundred dollars; to two clerks, two thousand dollars each; to four clerks, one thousand five hundred dollars each; to the treasurer of the branch mint at San Francisco, for salary as assistant treasurer of the United States, in addition to his salary as treasurer of said mint, one thousand five hundred dollars; to the assistant treasurer of the United States at New York, eight thousand dollars; to the assistant treasurer of the United States at Boston, five thousand dollars; to the assistant treasurer of the United States at St. Louis, five thousand dollars.

By the act (Chap. CIII.) to define more clearly the jurisdiction and powers of the supreme court of the District of Columbia, and for other purposes, approved June 1, 1866.

It is provided by section 2, that from and after the passage of this act the salaries of the chief justice and associate justices shall be:

For the chief justice, four thousand five hundred dollars.

For each of the associate justices, four thousand dollars.

By the act (Chap. C. L. IV.) amendatory of the organic act of Washington Territory, approved June 29, 1866.

The compensation of the members of the legislative assembly of Washington Territory is increased from three dollars per day to six dollars per day for and during each session of the legislature, the mileage of the members to remain as now allowed by law.

By the act (CCVIII) making appropriations for the legislative, executive, and judicial expenses of the government for the year ending June 30, 1866, and for other purposes, approved July 23, 1866.

Section 1 provides for additional salary of the treasurer of the mint at Philadelphia, one thousand dollars.

For additional salary of the treasurer of the branch mint at New Orleans, five hundred dollars.

For additional salary of the treasurer of the branch mint at Denver, five hundred dollars.

For salaries of additional clerks, and additional compensation of officers and clerks, under act of August sixth, eighteen hundred and forty-six, for the better organization of the treasury, at such rates as the Secretary may deem just and reasonable, sixty thousand dollars.

For additional compensation to three clerks in the department of the Attorney General, for extraordinary services under the amnesty proclamation of May twenty-ninth, eighteen hundred and sixty-five, to be apportioned one thousand to the principal clerk, and five hundred each to the other two clerks, two thousand dollars.

For salaries and other necessary expenses of the Metropolitan Police of the District of Columbia, one hundred and twenty thousand dollars. And the compensation of said Metropolitan Police force, officers and clerks, be, and the same is hereby, increased fifty per centum upon the amount hereby appropriated, commencing on the first day of July, eighteen hundred and sixty-five, said increase to be borne by the cities of Washington and Georgetown, and the county of Washington, in the District of Columbia, in the proportion equal to the number of patrolmen allotted severally to the city of Washington, to the city of Georgetown, and the county of Washington and Georgetown, and the levy court of said county be, and they are hereby, authorized and empowered to levy a special tax, not exceeding one quarter of one per centum, for the purpose aforesaid.

SEC. 2 provides that from and after the thirtieth day of June, eighteen hundred and sixty-

six, the annual salary of the Treasurer of the United States shall be six thousand five hundred dollars, the additional salary herein provided for, for the year ending June thirty, eighteen hundred and sixty-seven, to be paid out of any money in the treasury not otherwise appropriated.

Section 3 provides that from and after the thirtieth day of June, eighteen hundred and sixty-six, the salary of the Commissioner of Public Buildings shall be twenty-five hundred dollars per annum, and the increase of salary herein authorized may be paid out of any money in the treasury not otherwise appropriated.

Section 6 provides that the female clerks and counters employed in the several departments and bureaus whose appointments are made by the several heads of departments under the provisions of law, and whose legal compensation has heretofore amounted to seven hundred and twenty dollars each per annum, and the female clerks employed at the Post Office Department, shall, from and after the thirtieth day of June, eighteen hundred and sixty-six, receive, in lieu of all other compensation, an annual salary of nine hundred dollars each per annum; and the amount necessary to pay the increased salaries herein provided for, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, is hereby appropriated out of any money in the treasury not otherwise appropriated.

Section 7 provides that the addition of twenty per centum to the compensation of the females not otherwise provided for, messengers, watchmen, and laborers employed in the several departments, and under the Commissioner of Public Buildings and the Commissioner of Agriculture, and at the Capitol, by section 3 of "An act making appropriations for the legislative, executive, and judicial expenses of the government, for the year ending June thirtieth, eighteen hundred and sixty five, and for other purposes," is hereby continued in force, and the amount necessary to pay the same for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, is hereby appropriated.

Section 9 provides that the provisions of the act approved April twenty-nine, eighteen hundred and sixty-four, "increasing the compensation of the inspector of customs in certain ports," is hereby continued in force.

By the act (Chap. CCXXXIII) making appropriations for consular and diplomatic expenses of the government for the year ending June 30, 1867, and for other purposes, approved July 25, 1866.

Section 1 provides that the compensation of the consuls at Malta, Saint John, (Canada East,) Nice, Lisbon, Santa Cruz, Tampico, Prince Edward Island, Barcelona, St. Catharine's, in Brazil, and Nantes, is established at fifteen hundred dollars each annually, and the compensation of the consul at Hankow is established at three thousand dollars annually.

For further compensation of the commissioner under the treaty between the United States and her Britannic Majesty for the final settlement of the claims of the Hudson's Bay and Puget Sound Agricultural Company, three thousand dollars in full for his services and personal expenses.

By the act (Chap. CCXXXIV) further to provide for the safety of the lives of passengers on board vessels propelled in whole or in part by steam, to regulate the salaries of steamboat inspectors, and for other purposes, approved July 25, 1866.

Section 12 provides that the annual compensation paid to local inspectors of steamboats shall be hereafter as follows, to wit:

For the district of Portland, in Maine, three hundred dollars; for the district of Boston and Charlestown, in Massachusetts, one thousand dollars; for the district of New London, in Connecticut, five hundred dollars; for the district of New York, two at two thousand dollars each, two at fifteen hundred dollars each, and one additional inspector of boilers at fifteen hundred dollars; for the district of Philadelphia, in Pennsylvania, thirteen hundred dollars; for the district of Baltimore, in Maryland, twelve hundred dollars; for the district of Norfolk, in Virginia, three hundred dollars; for the district of Charleston, in South Carolina, five hundred dollars; for the district of Savannah, in Georgia, four hundred dollars; for the district of Mobile, in Alabama, one thousand dollars; for the district of New Orleans, or in which New Orleans is the port of entry, Louisiana, two thousand dollars; for the district of Galveston, in Texas, four hundred dollars; for the district of St. Louis, in Missouri, sixteen hundred dollars; for the district of Nashville, in Tennessee, four hundred dollars; for the district of Louisville, in Kentucky, twelve hundred dollars; for the district of Cincinnati, in Ohio, sixteen hundred dollars; for the district of Wheeling, West Virginia, five hundred dollars; for the district of Pittsburg, Pennsylvania, sixteen hundred dollars; for the district of Chicago, Illinois, eight hundred dollars; for the district of Detroit, Michigan, one thousand dollars; for the district of Cleveland, Ohio, six hundred dollars; for the district of Buffalo, New York, twelve hundred dollars; for the district of Oswego, or of which Oswego is the port of entry, New York, three hundred dollars; for the district of Vermont, of which Burlington is the port of entry, three hundred dollars; for the district of San Francisco, California, fifteen hundred dollars; for the district of Memphis, Tennessee, nine hundred dollars; for the district of Galena, Illinois, one thousand dollars; for the district of Portland, Oregon, seven hundred dollars; to the supervising inspector of the Pacific coast, two thousand five hundred dollars; to the other supervising inspectors, two thousand dollars each.

Section 13 provides that there shall be appointed, under the direction of the Secretary of the Treasury, one clerk each in the local offices at New York and New Orleans, and the annual compensation allowed to these clerks shall be seven hundred and fifty dollars each.

By the act (Chap. CCLXXX) in relation to the district courts of the United States in the States of California and Louisiana, approved July 27, 1866.

Section 5 provides that the salary of the United States district judge for the district of Louisiana shall hereafter be four thousand five hundred dollars per annum.

By the act (Chap. CCXCIII) to fix thee compensation of certain collectors of customs and for other purposs, approved July 28, 1866.

Section 1 provides that the collectors of customs hereinafter named shall, from and after the first day of July, eighteen hundred and sixty-six, in lieu of the salaries to which they are now by law respectively entitled, receive the salaries following, to wit: the collectors of the districts of Texas, at Galveston, Saluria, Corpus Christi, and Brazos de Santiago, Texas, each at the rate of one thousand five hundred dollars a year in addition to the fees of office: *Provided*, That such compensation shall in no case exceed the sum of twenty-five hundred dollars per annum in the aggregate; the collectors of the districts of Beaufort, South Carolina, and Pensacola, Florida, each at the rate of one thousand dollars a year; the collectors of the district of Georgetown, in the District of Columbia, and of the districts of Cherrystone, Virginia; Brunswick, Georgia; Saint Augustine, Saint Marks, and Apalachicola, Florida, and Teche, Louisiana, five hundred dollars a year each.

Section 4 provides that in lieu of the compensation now allowed by law there shall hereafter be paid to each of the deputy collectors at the ports of New York, Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, and to each of the general appraisers and local appraisers at Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, three thousand dollars per annum; to each of the deputy naval officers and the deputy surveyors at New York, Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, two thousand five hundred dollars per annum; and to each of the custom-house weighers at the ports of Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, two thousand dollars per annum, out of the appropriation for expenses of collecting the revenue from customs: *Provided*, That the additional compensation of twenty-five per centum, as now provided by law, shall be continued to officers as aforesaid at the port of San Francisco.

By the act (Chap. CCXCVI) making appropriations for sundry civil expenses of the government for the year ending June 30, 1867, and for other purposes, approved July 28, 1866.

Section 1 provides for additional compensation of three laborers employed in the Congressional Library, commencing January 1, 1866, five hundred and forty dollars; and the compensation of said laborers is hereby fixed at seven hundred and twenty dollars per annum.

Section 5 provides that each watchman in the public buildings and grounds under the Commissioner of Public Buildings whose pay is less than one thousand dollars a year shall, from the first day of July, 1866, receive a compensation of nine hundred dollars per annum.

Section 6 provides that from and after the thirtieth day of June, 1866, the compensation of the Metropolitan Police force of the District of Columbia be, and the same is hereby, increased as follows, viz: twenty dollars per month, and the necessary sum required is hereby appropriated; also, an additional increase of ten dollars a month; said additional increase to be borne by the cities of Washington and Georgetown, and the county of Washington, in the District of Columbia, in the proportion equal to the number of patrolmen allotted severally to the city of Washington, to the city of Georgetown, and county of Washington outside of the corporate limits.

Section 17 provides that the compensation of each senator, representative, and delegate in Congress shall be five thousand dollars per annum, to be computed from the first day of the present Congress, and in addition thereto mileage at the rate of twenty cents per mile, to be estimated by the nearest route usually travelled in going to and returning from each regular session; but nothing herein contained shall affect mileage accounts already accrued under existing laws: *Provided*, That hereafter mileage accounts of senators shall be certified by the President of the Senate, and those of representatives and delegates by the Speaker of the House of Representatives: *And provided further*, That the pay of the Speaker shall be eight thousand dollars per annum.

Section 18 provides that there be allowed and paid to the officers, clerks, committee clerks, messengers, and all other employes of the Senate and House of Representatives, and to the Globe and official reporters of each house, and the stenographer of the House, and to the Capitol police, and the three superintendents of the public gardens, their clerks and assistants, and to the librarian, assistant librarians, messengers, and other employés of the Congressional Library, an addition of twenty per centum on their present pay, to commence with the present Congress; and the amount necessary to pay this allowance is hereby appropriated out of any money in the treasury not otherwise appropriated.

By the act (Chap. CCXCVII) to supply deficiencies in the appropriations for the service of the fiscal year ending June 30, 1866, and for other purposes, approved July 28, 1866.

Section 1 provides for additional compensation to the Assistant Secretary of the Interior five hundred dollars.

For additional compensation to three Assistant Postmasters General, at five hundred dollars each, fifteen hundred dollars.

For twenty per centum additional to the salaries of female clerks employed in the Post Office Department, as per act of June 25, 1864, for the fiscal year ending June 30, 1866, four thousand dollars: *Provided*, That from and after June 30, 1866, the regular compensation of the female folders in the Dead Letter office shall be at the rate of fifty dollars per month.

For twenty per centum additional to the salaries of the laborers employed in the Post Office Department, and paid from the contingent fund, for the fiscal year ending June 30, 1866, two thousand and forty dollars.

The compensation of the deputy solicitor of the Court of Claims shall be, from and after June 30, 1866, three thousand and five hundred dollars, payable quarterly out of any money in the treasury not otherwise appropriated.

For the additional twenty per centum compensation to the messenger of the Court of Claims from January 29 to June 30, 1866, sixty-seven dollars and twenty cents.

To enable the Secretary of War to make the pay of the persons employed at any time during the last fiscal year as temporary clerks in the office of the Quartermaster General, or any division thereof, equal to the pay of first-class clerks, which is hereby directed, such sum as may be necessary for this purpose.

Section 6 provides for salaries of additional clerks, and additional compensation of officers and clerks, under act of August 6, 1846, at such rates as the Secretary of the Treasury may deem just and reasonable, ten thousand dollars.

By the act (Chap. CCCXII) to prevent officers of the navy from being depriced of their regular promotion on account of wounds received in battle, and for other purposes, approved July 28, 1866.

It is provided by section 2 that the rate of pay of officers of the navy on the retired list and not on duty, nor retired on furlough pay, in cases where such rate of pay has not heretofore been fixed by law, shall be one-half of the pay to which such officers would be entitled if on duty at sea. And the pay of clerks of navy yards, of clerks to commandants of navy yards, and of clerks to naval storekeepers, is hereby increased twenty-five per centum upon their present salaries from the commencement of the present fiscal year.

By the joint resolution (No. 45) authorizing the Postmaster General to pay additional salary to letter-carriers in San Francisco, approved June 6, 1866.

It is provided that the Postmaster General be authorized to pay such additional salary to letter-carriers in San Francisco, above that provided by law, as may be necessary to secure competent persons for such service.

71.2009.084.00792